THE HISTORY OF THE INQUISITION.

Limborch, whose History of the Inquisition is looked upon as an important & capital work, is generally followed by modern writers in their accounts of that odious tribunal. But, however laudable that historian may have been in point of fidelity & diligence, it is certain that he was but little acquainted with the ecclesiastical history of the middle age; that he drew his materials, not from the true & original sources, but from the writers of a second class, & thus has fallen, in the course of his history, into various mistakes. His account of the origin of the inquisition is undoubtedly false; nor does that wh. is given by many other writers, approach nearer to the truth — many of the Dominicans, who, in our times, have presided in the court of inquisition — deny — that Dominic was its founder, as also that he was the first inquisitor, nay that he was an inquisitor at all — that the court of inquisition was not erected during the life of St. Dominic — Nevertheless the question, Whether or not St Dominic was an inquisitor, depends on the different significations of the term inquisitor. That word, originally, signified a person invested with the commission & authority of the Roman pontiff to extirpate heresy & oppose its abettors, but not clothed with any judicial power. But it soon acquired a different meaning & signified a person appointed by the Roman pontif to proceed judicially against heretics & such as were suspected of heresy, to pronounce sentence — & deliver over to the secular arm such as obstinately persisted in their errors. In this latter sense Dominic was not an inquisitor; since it is well known that there were no papal judges of this nature before the pontificate of Gregory IX; but he was an inquisitor in the original sense of the word.

Mosheim Eccles. Hist. III. 115. 8vo

S. Ker[illegible]

THE

HISTORY

OF THE

INQUISITION.

By *PHILIP a LIMBORCH*,
Professor of Divinity amongst the REMONSTRANTS.

Translated into *English*
By *SAMUEL CHANDLER*.

In TWO VOLUMES.

VOL. I.

To which is prefixed,
A large INTRODUCTION concerning the Rise and Progress of PERSECUTION, and the real and pretended Causes of it.

Their Feet run to Evil, and they make haste to shed innocent Blood: Their Thoughts are Thoughts of Iniquity; Wasting and Destruction are in their Paths.
He goes about as a roaring Lion, seeking whom he may devour.

LONDON:
Sold by J. GRAY, at the *Cross-Keys* in the *Poultry*.
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TO THE

QUEEN REGENT.

MADAM,

I Should never have entertained the least Thought of preſenting to Your Majeſty the HISTORY OF THE INQUISITION, but that it afforded me an Opportunity of expreſſing my ſincere Joy, in that which is the common Happineſs of

theſe Nations; Your Majeſty's juſt Abhorrence of all the Frauds and Cruelties authorized and practiſed by that infamous Tribunal, and Your generous Concern for the civil and religious Liberties of Mankind.

In the earlieſt Part of Your Majeſty's Life, when worldly Honours and Dignities muſt have appeared with their greateſt Charms, You became an illuſtrious Example of Steadineſs in the Proteſtant Faith. Your Reſolution and Piety triumphed over the ſtrongeſt Temptations. God reſerved Your Majeſty as a Bleſſing to the Kingdoms now under Your Guardianſhip. As a Reward of Your conſtant Adherence to Truth and Virtue, he hath made You the beloved Queen of a free and powerful Nation, whoſe Loyalty is the Effect of the moſt voluntary Choice, and flows from the two ſtrongeſt Motives in the World, the Senſe both of their Intereſt and Duty.

Under the Inſpection of ſuch a Queen and Mother, the *Britiſh* Nation is in no Pain for the Royal Progeny, but looks on them with

2 Plea-

Pleaſure, as the Sources of their future Happineſs. Your Majeſty's Example will inſpire them with Zeal for the Proteſtant Religion, and Your diſintereſted Purſuit of Truth form them into a Love of Liberty, and teach them the true Notion and proper Uſe of it.

'Tis Your Majeſty's happy Lot to live in an Age, and be the Guardian of a Nation, in which the Principles of all Religion undergo the moſt exact and critical Inquiry; and 'tis the peculiar Glory of His Majeſty's Government, that all Men are permitted to make ſuch Inquiries with Safety. As Superſtition and Error can never be effectually diſcover'd and deſtroy'd, nor Religion maintain its native Purity and Dignity without the freeſt Uſe of this invaluable Privilege, 'tis impoſſible that the Ends of Government can require, or that true Religion can ever preſcribe or juſtify the leaſt Invaſion or Abridgment of it.

The Revelation of the Goſpel, fixed immovable upon its own Foundation of eternal Truth, needs no Methods of Fraud and Violence for

its Support. The great Author of it appealed to the Reaſon and Conſciences of Men concerning the Proofs of his divine Miſſion, and the Nature of the Doctrines he taught. His Apoſtles after him claimed no Submiſſion to their heavenly Dictates, without reaſonable Convictions, founded in the Demonſtration of the Spirit and of Truth. Happy had it been for the Chriſtian Church, had the Examples of the Son of God and his Apoſtles been, in this Reſpect as well as others, counted worthy of Imitation!

Zeal for Religion, both in Princes and their Subjects, is unqueſtionably a Duty. But Your Majeſty underſtands too well the great Obligations to Chriſtian Charity, and feels too great a Pleaſure in the Exerciſe of this ſacred Virtue, ever to ſuffer Your own Zeal for Religion to lead You into a cruel perſecuting Warmth, or to encourage others in the uſe of any Methods for the Defence of Religion, which are not only contrary to the genuine Spirit and Deſign of it, but in the Conſequences deſtructive of the Honour, Succeſs, and even Being of it.

 The

The Succeſſion of the illuſtrious Houſe of *Hanover* to the Throne of theſe Kingdoms, was a Bleſſing of long Expectation. The Severities which were exerciſed upon Proteſtant Diſſenters in former Reigns, upon the Account of Religion, made them caſt their Eyes upon that Auguſt Family. From thence, Madam, the Afflicted hoped for Relief: From thence the Sufferers for Conſcience-ſake expected, under God, their Salvation from the Yoak of Civil and Eccleſiaſtical Oppreſſion.

The Happineſs they both pray'd and longed for, but were allowed to ſee only afar off, we, their Poſterity, now enjoy. The all-merciful God hath abundantly anſwer'd their Prayers, and bleſſed us with the Fruits of their Expectations. When our Liberties were unrighteouſly invaded, and farther Difficulties and Sufferings were intended us, for our Fidelity to the preſent Royal Family, by an almoſt miraculous Providence, His late Majeſty came into our Relief, and will ever be remembered with Honour and Gra-

Gratitude by us, as our Reſtorer and Deliverer, and as the common Preſerver of theſe Nations from that Deſtruction which ſo nearly threaten-ed them.

His preſent Majeſty, the Inheritor of His Royal Father's Virtues, as well as Kingdoms, will be reverenced for His impartial Protection of all His Subjects, for the Wiſdom of His Counſels, the Steadineſs of His Meaſures, and the glorious Succeſs which hath crowned Them, in the Settlement of the different, and al-moſt contrary Intereſts of *Europe*, and the Preſervation of the invaluable Bleſſings of Peace.

Your Majeſty will be admired for all thoſe excellent Endowments, and amiable Virtues, which render You the greateſt Ornament to publick and private Life. Your Regency of theſe Kingdoms, conducted with ſuch Wiſdom and Goodneſs, ſhews You fit for the Weight of Government, and the Dignities of a Crown. Your Condeſcenſion and Freedom in converſing

with

with Perſons of Learning and Virtue, diſcovers Your Love of Truth, and Your Knowledge how to reconcile the Pleaſures of Converſation and Friendſhip with the Reverence due to Majeſty and Power. Your Love to true Religion, and Your Impartiality in ſearching into the Nature of it, is the fulleſt Evidence that Your Majeſty's Piety, as well as the Benevolence of Your natural Diſpoſition, muſt neceſſarily excite in Your Breaſt a juſt Averſion to all Methods of Violence for the Conviction and Converſion of others. Your Affection to the Proteſtant Religion and Liberties in general, and Your ſteady Regard to the Welfare of theſe Kingdoms in particular, indear Your Majeſty to the preſent Generation, and will be ſpoken of with Pleaſure by thoſe to come.

That God may long continue Your Majeſty a Bleſſing in every Relation in which his Providence hath fixed You, and, after a full Enjoyment of the higheſt Honour and Proſperity, which this World can afford You, receive You to the more ſubſtantial and durable Bleſſings of

the eternal World, is the sincere and fervent Prayer of,

May it please Your Majesty,

Your Majesty's most Obedient,

Most Devoted, and

Most Humble Servant,

SAMUEL CHANDLER.

PREFACE.

THE *Introduction to Mr.* Limborch's *History of the Inquisition hath run out to such a Length, that I have but little Room for any Preface. That History needs nothing that I can say to recommend it. When it first came over to* England, *it was received with great Approbation by many of the principal Nobility and Clergy.* Mr. Lock, *that incomparable Judge of Men and Books, gives it the highest Character, and commends it for its Method and Perspicuity, and the Authorities by which it is so abundantly confirmed, and pronounces it a Work in its Kind absolutely perfect. He was particularly pleased that Mr.* Limborch *used the very Words of the Authors which he cites; and, though this may make the reading of the History tedious to some, yet it was necessary, that the Inquisitors might be convicted by the*

B *Testi-*

Testimony of their own Writers, of those villanous Frauds and Cruelties, with which they are charged. In a Letter to Mr. Limborch *himself, he tells him, that he had so fully exposed their secret Arts of Wickedness and Cruelty, that, if they had any Remains of Humanity in them, they must be ashamed of that horrid Tribunal, in which every Thing that was just and righteous was so monstrously perverted; and that 'twas fit to be translated into the vulgar Language of every Nation, that the meanest People might understand the Anti-christian Practices of that execrable Court. The Papists were so apprehensive of the Prejudices that might arise to their Cause by the Publication of this Book, that the Cardinals, Inquisitors* General *at* Rome, *condemn'd it by an Edict, and forbad the reading it, under the severest Penalties.*

Mr. Lock *often mentions, in his Letters, several Additions which* Mr. Limborch *had prepared, and promised to transmit to him, that he might insert them in their proper Places in the Margin. I know not whether he ever had the Pleasure of seeing them; 'tis certain the Publick hath never hitherto been favour'd with them. When I first began my Translation of the History, the late ingenious* Anthony Collins, *Esq; informed me, that he had some M. S. Papers of* Mr. Limborch *relating to it, and generously sent them to me for my Perusal. After this, I was informed by a worthy Friend, that there was a Gentleman in* Holland *who had a large Number of Corrections and Additions; and, upon my Application to him, he very kindly ordered them to be transcribed out of the Copy* Mr. Limborch *kept by him, which he had corrected and enlarged with his own Hand, and transmitted them to me from the* Hague. *His Name is* Francis a Limborch, *a worthy Relation of the learned Author's, to whom I take this Opportunity of returning my sincere Thanks*

for so valuable a Present. The Reader will find them included within these Hooks [ ]. I have added also a few marginal Notes, to explain some of the Terms made use of, and to confirm the History it self.

As to the Introduction, I thought it necessary to trace the History of Persecution from its first Beginnings, and thus to connect it with the Account of the Inquisition. Though it be long, it might have been greatly enlarged, especially with several remarkable Instances of it amongst the Pagans. *I cannot help inserting here one very extraordinary Passage from* Livy, *the* Roman *Historian, though it be a little out of its Place. He tells us* *,
"*That such a foreign Religion spread it self over the City, that* Lib. 25. c. 10.
"*either Men or the Gods seemed entirely changed; that the*
" Roman *Rites were not only forsaken in private, and within the*
"*Houses, but that even publickly, in the Forum and Capitol,*
"*great Numbers of Women flocked together, who neither sacrificed*
"*nor pray'd to the Gods, according to the manner of their Ancestors.*
"*——This first excited the private Indignation of good Men, till*
"*at length it reached the Fathers, and became a publick Complaint.*
"*The Senate greatly blamed the Ædiles and capital Triumvirs, that they did not prohibit them, and when they endea-*

* Tanta religio, et ea magna ex parte externa, civitatem incessit, ut aut homines, aut Dii repente alii viderentur facti; nec jam in secreto modo atq; intra parietes abolebantur Romani ritus, sed in publico etiam ac foro Capitalioq; mulierum turba erat, nec sacrificantium nec precantium Deos patrio more.——Primo secretæ bonorum indignationes exaudiebantur, deinde ad patres etiam, et ad publicam querimoniam excessit res. Incusati graviter ab Senatu Ædiles Triumviriq; capitales, quod non prohiberent: quum emovere eam multitudinem a foro, ac disjicere apparatus sacrorum conati essent, haud procul afuit quin violarentur. Ubi potentius jam esse id malum apparuit quam ut minores per Magistratus sedaretur, M. Atilio, prætori urbis negotium ab Senatu datum est, ut his religionibus populum liberaret. Is et in concione Senatus consultum recitavit, et edixit, Ut quicumq; libros vaticinos precationesve, aut artem sacrificandi conscriptam haberet, eos libros omnes literasq; ad se ante Calendas Aprilis deferret; neu quis in publico sacrove loco, novo aut externo ritu sacrificaret.

" *voured to drive away the Multitude from the Forum, and to " throw down the Things they had provided for performing their " ſacred Rites, they were like to be torn in Pieces. And when " the Evil grew too great to be cured by inferior Magiſtrates, " the Senate order'd* M. Atilius *the Pretor of the City, to pre- " vent the Peoples uſing theſe Religions." He accordingly pub- liſh'd this Decree of the Senate, that* whoever had any Fortune-telling Books, or Prayers, or Ceremonies about Sacrifices written down, they ſhould bring all ſuch Books and Writings to him, before the Calends of *April*, and that no one ſhould uſe any new or foreign Rite of ſacrificing in any publick or ſacred Place.

Apud Dion. Caſſium, l. 52. Mecenas, *in his Advice to* Auguſtus, *ſays to him:* Perform divine Worſhip in all Things exactly according to the Cuſtom of your Anceſtors, and compel others to do ſo alſo; and as to thoſe who make any Innovations in Religion, hate and puniſh them; and that not only for the ſake of the Gods, but becauſe thoſe who introduce new Deities, excite others to make Changes in Civil Affairs. Hence Conſpiracies, Seditions, and Riots, Things very dangerous to Government. *Accordingly* Suetonius, *in his Life of this Prince, gives him this Character:* " *That tho' he " religiouſly obſerved the ancient preſcribed Ceremonies, yet he " contemned all other foreign ones, and commended* Caius, *for " that paſſing by* Judæa, *he would not pay his Devotions at* Jeru- " ſalem." *He alſo, as the ſame Author tells us* *, *made a Law, very much reſembling our Teſt Act, by which he commanded, that* before any of the Senators ſhould take their Places in

Vit. Aug. c. 93.

Ibid. c. 35.

* Quo autem——religioſius Senatoria munera fungerentur, ſanxit ut priuſquam conſideret quiſque, thure ac mero ſupplicaret apud aram ejus Dei, in cujus templo coiretur.

Council,

Council, they ſhould offer Frankincenſe and Wine upon the Altar of that God in whoſe Temple they met.

Theſe and other Paſſages that may be mention'd, abundantly prove that the Heathens were as much in Principle, and as really in Practice, Perſecutors as the Chriſtians; and 'tis therefore very unfair and unreaſonable to make it an Objection againſt Chriſtianity, that ſo many of the Profeſſors of it have, in all Ages, given into theſe ungodly and wicked Meaſures. If it proves any Thing, it will prove as much againſt natural Reaſon and Religion, as it doth againſt the Religion of Jeſus. And if the Vices of Men, who have had no other Guide but the former, prove nothing againſt the Sufficiency and Goodneſs of them, Chriſtians alſo may be very wicked Men, and yet the Religion they profeſs be a very excellent and divine one.

If any ſhould ask, why I trouble the World with the Accounts of the Perſecutions that Chriſtians have raiſed againſt each other, at this Time, now that the Clergy of all Denominations ſeem to be entering into more moderate Meaſures; I anſwer, to give the little Aſſiſtance I am able towards promoting a truly catholick and charitable Diſpoſition; there being, as I apprehend, no way ſo proper to expoſe the Doctrine and Practice of Perſecution, as by a fair Repreſentation of the unſpeakable Miſchiefs that have been occaſioned by it; nor any other Method ſo likely to render it the univerſal Abhorrence of Mankind, as to let them ſee, by paſt Examples, what Miſeries they muſt expect, if God ſhould ever, for our Sins, ſubject us again to the Yoak of Eccleſiaſtical Power; which, wherever 'tis not kept under ſtrict Reſtraint, will uſurp upon the Authority and Dignity of Princes, and trample under Foot all the civil and religious Liberties of Mankind. 'Tis therefore highly incumbent upon all Perſons in their ſeveral Stations; 'tis what the Gentlemen of England, *who*

who are born to Eſtates and Honours, and know the true Value of Liberty and Property, are more eſpecially concern'd in, to do all they can to prevent the Encroachments and gradual Increaſes of ſpiritual Tyranny; it being much more eaſy to do this, than to free themſelves from it, when once they have tamely ſubmitted to the Uſurpations of it.

If the perſecuting Spirit declines, 'tis far from being wholly extinguiſhed. The Claims of the Church, that now lie dormant, want nothing but a fair Opportunity to revive. And for the Truth of this, I appeal to the late famous Controverſy about Church Power and Authority. May God Almighty, of his infinite Mercy, inſpire all Ranks and Degrees of Men with ſuch a Love to Liberty, and with ſuch a Senſe of the Greatneſs of their Privilege, in being free as to their Conſciences, Religion, Perſons, and Eſtates, as ſhall ſecure us from all Attempts to deprive us of it, or, at leaſt, as ſhall render all ſuch Attempts from warm deſigning Bigots wholly ineffectual.

'Tis, indeed, impoſſible to prevent all Abuſes of Liberty: But theſe are infinitely more tolerable than the Evils that muſt neceſſarily flow from Eccleſiaſtical Tyranny, which is deſtructive to Knowledge, Learning, Piety and Virtue, and every Thing that is dear and valuable to Men and Chriſtians. Even theſe Abuſes of Liberty have render'd many of the Clergy of the Church of England *immortal, by their excellent Defences of the Chriſtian Religion; and I perſuade my ſelf that their Lordſhips of* London, Durham, Litchfield *and* Coventry, *had rather be remem-*

remember'd and known to Posterity by Pastoral Letters, Defences of Christianity, *and* Vindications of Christ's Miracles, *than by that Rigidness and cruel Zeal for Uniformity in Opinions, and lifeless Ceremonies, by which many of their Predecessors have left an indelible Stain on their Names and Memories. May they go on thus to adorn their Episcopal Character; and, by being Examples of Christian Piety, Moderation, and Forbearance, influence the inferior Clergy to imitate them.*

I have nothing more to add, but to desire the Reader to over-look any lesser Faults that may have escaped me in the Introduction or Translation, and to ask my Subscribers Pardon for the long Delay of this Work. The ill State of my Health for many Months past, and my constant Engagements in Life, will be allowed as some Excuse by all equitable Persons. As to those who can make me no Allowance, all I can say to them is, that as this is the first Book that I have published by Subscription, so, according to my present Judgment, 'twill be the last. Such as it is, if it will do any Good, I shall be thankful to God, and not repent my own Labour.

London, Sept. 8, 1732.

SAMUEL CHANDLER.

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THE INTRODUCTION: BEING THE HISTORY OF PERSECUTION.

AS Religion is a Matter of the highest Importance to every Man, there can be nothing which deserves a more impartial Inquiry, or which should be examined into with a more disinterested Freedom; because as far as our Acceptance with the Deity depends on the Knowledge and Practice of it, so far Religion is, and must be, to us a purely personal Thing, in which therefore we ought to be determined by nothing but the Evidence of Truth, and the rational Convictions of our own Mind and Conscience. Without such an Examination and Conviction we shall be in danger of being imposed on by crafty and designing Men, who will not fail to make their Gain of the Ignorance and Credulity of those they can deceive, nor scruple to recommend to them the worst

Principles and Superstitions, if they find them conducive or necessary to support their Pride, Ambition and Avarice. The History of almost all Ages and Nations is an abundant Proof of this Assertion.

God himself, who is the Object of all religious Worship, to whom we owe the most absolute Subjection, and whose Actions are all guided by the discerned Reason and fitness of Things, cannot, as I apprehend, consistent with his own most perfect Wisdom, require of his reasonable Creatures the explicite Belief of, or actual Assent to any Proposition which they do not, or cannot either wholly or partly understand; because 'tis requiring of them a real Impossibility, no Man being able to stretch his Faith beyond his Understanding, *i. e.* to see an Object that was never present to his Eyes, or to discern the Agreement or Disagreement of the different Parts of a Proposition, the Terms of which he hath never heard of, or cannot possibly understand. Neither can it be supposed that God can demand from us a Method of Worship of which we cannot discern some reason and fitness, because it would be to demand from us Worship without Understanding and Judgment, and without the Concurrence of the Heart and Conscience, *i. e.* a Kind of Worship different from, and exclusive of that, which in the Nature of Things is the most excellent and best, *viz.* the Exercise of those pure and rational Affections, and that Imitation of God by Purity of Heart, and the Practice of the Virtues of a good Life, in which the Power, Substance, and Efficacy of true Religion doth consist. If therefore nothing can or ought to be believed, but under the Direction of the Understanding, nor any Scheme of Religion and Worship to be received but what appears reasonable in it self, and worthy of God; the necessary Consequence is, that every Man is bound in Interest and Duty to make the best Use he can of his reasonable Powers, to examine without fear, all Principles before he receives them, and all Rites and Means of Religion and Worship before he submits to and complies with them. This is the common Privilege of human Nature, which no Man ought ever to part with himself, and of which he can't be deprived by others, without the greatest Injustice and Wickedness.

'Twill, I doubt not, appear evident beyond Contradiction, to all who impartially consider the History of past Ages and Nations, that where and whenever Men have been abridged, or wholly deprived of this Liberty, or have neglected to make the due and proper Use of it, or sacrificed their own private Judgments to the publick Conscience, or complimented the licensed spiritual Guides with the Direction of them, Ignorance and Superstition have proportionably prevailed; and that to these Causes have been owing those great Corruptions of Religion which have done so much Dishonour to God, and where-ever they have prevailed, been destructive to the Interests of true Piety and Virtue. So that instead of serving God with their Reason and Understanding, they have served their spiritual Leaders without either, and have been so far from rendring themselves acceptable to their Maker, that they have the more deeply, 'tis to be feared, incurred his Displeasure; because God can't but dislike the *Sacrifice of Fools*, and therefore of such who either neglect to

improve the reaſonable Powers he hath given them, or part with them in complaiſance to the proud, ambitious, and ungodly Claims of others, which is one of the higheſt Inſtances of Folly that can poſſibly be mentioned.

I will not indeed deny, but that the appointing Perſons, whoſe peculiar Office it ſhould be to miniſter in the external Services of publick and ſocial Worſhip, is, when under proper Regulations, of Advantage to the Decency and Order of Divine Service. But then I think it of the moſt pernicious Conſequence to the Liberties of Mankind, and abſolutely inconſiſtent with the true Proſperity of a Nation, as well as with the Intereſt and Succeſs of rational Religion, to ſuffer ſuch Miniſters to become the Directors general of the Conſciences and Faith of others, or publickly to aſſume, and exerciſe ſuch a Power, as ſhall oblige others to ſubmit to their Determinations without being convinced of their being wiſe and reaſonable, and never to diſpute their ſpiritual Decrees. The very Claim of ſuch a Power is the higheſt Inſolence, and an Affront to the common Senſe and Reaſon of Mankind; and where-ever 'tis uſurped and allowed, the moſt abject Slavery both of Soul and Body is almoſt the unavoidable Conſequence. For by ſuch a Submiſſion to ſpiritual Power the Mind and Conſcience is actually enſlaved, and by being thus render'd paſſive to the Prieſt, Men are naturally prepared for a ſervile Subjection to the Prince, and for becoming Slaves to the moſt arbitrary and tyrannical Government. And I believe it hath been generally found true by Experience, that the ſame Perſons who have aſſerted their own Power over others in Matters of Religion and Conſcience, have alſo aſſerted the abſolute Power of the Civil Magiſtrate, and been the avowed Patrons of thoſe admirable Doctrines of Paſſive-Obedience and Non-Reſiſtance for the Subject. Our own Nation is ſufficiently witneſs to the Truth of this.

'Tis therefore but too natural to ſuſpect, that the ſecret Intention of all ghoſtly and ſpiritual Directors and Guides in decrying Reaſon, the nobleſt Gift of God, and without which even the Being of a God, and the Method of our Redemption by Jeſus Chriſt, would be of no more ſignificancy to us than to the Brutes that periſh, is in reality the Advancement of their own Power and Authority over the Faith and Conſciences of others, to which ſound Reaſon is, and ever will be an Enemy. For though I readily allow the great Expediency and Need of Divine Revelation to aſſiſt us in our Inquiries into the Nature of Religion, and to give us a full View of the Principles and Practices of it; yet a very ſmall Share of Reaſon, without any ſupernatural Help, will ſuffice, if attended to, to let me know that my Soul is my own, and that I ought not to put my Conſcience out to keeping to any Perſon whatſoever, becauſe no Man can be anſwerable for it to the great God but my ſelf; and that therefore the Claim of Dominion, whoever makes it, either over mine or any others Conſcience, is meer Impoſture and Cheat, that hath nothing but Impudence or Folly to ſupport it, and as truely viſionary and romantick as the imaginary Power of Perſons diſorder'd in their Senſes, and which would be of no more Significancy and Influence amongſt Mankind than theirs, did not either the Views of ambitious Princes, or the Superſtition and Folly of Bigots encourage and ſupport it.

On these Accounts it is highly incumbent on all Nations, who enjoy the Blessings of a limited Government, who would preserve their Constitution, and transmit it safe to Posterity, to be jealous of every Claim of spiritual Power, and not to enlarge the Authority and Jurisdiction of spiritual Men, beyond the Bounds of Reason and Revelation. Let them have the freest Indulgence to do good, and spread the Knowledge and Practice of true Religion, and promote Peace and Good-will amongst Mankind. Let them be applauded and encouraged, and even rewarded, when they are Patterns of Virtue, and Examples of real Piety to their Flocks. Such Powers as these God and Man would readily allow them, and as to any other I apprehend they have little right to them, and am sure they have seldom made a wise or rational Use of them. On the contrary, numberless have been the Confusions and Mischiefs introduced into the World, and occasioned by the Usurpers of spiritual Authority. In the Christian Church they have ever used it with Insolence, and generally abused it to Oppression and the worst of Cruelties. And though the History of such Transactions can never be a very pleasing and grateful Task, yet I think, on many Accounts it may be useful and instructive; especially as it may tend to give Men an Abhorrence of all the Methods of Persecution, and put them upon their Guard against all those ungodly Pretensions, by which Persecution hath been introduced and supported.

But how much soever the persecuting Spirit hath prevailed amongst those who have called themselves Christians, yet certainly 'tis a great mistake to confine it wholly to them. We have Instances of Persons, who were left to the Light of Nature and Reason, and never suspected of being perverted by Revelation, murthering and destroying each other on the Account of Religion; and of some judicially condemned to Death for differing from the Orthodox, *i. e.* the established Idolatry of their Country. And I doubt not, but that if we had as full and particular an Account of the Transactions of the different religious Sects and Parties amongst the Heathens, as we have of those amongst Christians, we should find a great many more Instances of this kind, than 'tis easy or possible now to produce. However, there are some very remarkable ones which I shall not wholly omit.

SECT. I.

Of Persecutions amongst the Heathens upon Account of Religion.

Cap. 5. v. 6, &c. THERE is a Passage in the Book of *Judith* which intimates to us, that the Ancestors of the *Jews* themselves were persecuted upon Account of their Religion. *Achior*, Captain of the Sons of *Ammon*, gives *Holofernes* this Account of the Origin of that Nation. *This People are descended of the* Chaldeans; *and they sojourned heretofore in* Mesopotamia, *because they would not follow the Gods of their Fathers which were in the Land of* Chaldea; *for they left the Way of their Ancestors*,

Ancestors, and worshipped the God of Heaven, the God whom they knew. So they cast them out from the Face of their Gods, and they fled into Mesopotamia, *and sojourned there many Days.* St. *Austin* and *Marsham* both take Notice of this Tradition; which is farther confirmed by all the oriental Historians, who, as the learned Dr. *Hyde* tells us, unanimously affirm, that *Abraham* suffered many Persecutions upon the Account of his Opposition to the Idolatry of his Country; and that he was particularly imprisoned for it by *Nimrod* in *Ur*. Some of the eastern Writers also tell us, that he was thrown into the Fire, but that he was miraculously preserved from being consumed in it by God. This Tradition also the *Jews* believed, and is particularly mentioned by *Jonathan* in his *Targum* upon *Gen.* xi. 28. So early doth Persecution seem to have begun against the Worshippers of the true God.

De civit. Dei, l. 16. c. 13. Marsh. Cron. § 5. De Relig. Pers. c. 2.

Socrates, who in the Judgment of an Oracle was the wisest Man living, was persecuted by the *Athenians* on the Account of his Religion, and when past seventy Years of Age brought to a publick Trial and condemned. His Accusation was principally this, That he did unrighteously and curiously search into the great Mysteries of Heaven and Earth; [a] that he corrupted the Youth, and did not esteem the Gods worshipped by the City to be really Gods, and that he introduceed new Deities. This last part of his Accusation was undoubtedly owing to his inculcating upon them more rational and excellent Conceptions of the Deity, than were allowed by the established Creeds of his Country, and to his arguing against the Corruptions and Superstitions which he saw universally practised by the *Greeks*. This was called corrupting the Youth who were his Scholars, and what, together with his superior Wisdom, raised him many Enemies amongst all sorts of People, who loaded him with Reproaches, and spread Reports concerning him greatly to his Disadvantage, endeavouring thereby to prejudice the Minds of his very Judges against him. When he was brought to his Trial several of his Accusers were never so much as named or discovered to him, so that as he himself complained, he was as it were fighting with a Shadow, when he was defending himself against his Adversaries, because he knew not whom he opposed, and had no one to answer him. However, he maintained his own Innocence with the noblest Resolution and Courage; shewed he was far from corrupting the Youth, and openly declared that he believed the Being of a God. And as the Proof of this his Belief he bravely said to his Judges, that though he was very sensible of his Danger from the Hatred and Malice of the People, yet that as he apprehended God himself had appointed him to teach his Philosophy, so he should grievously offend him should he forsake his Station through fear of Death, or any other Evil; and that for such a Disobedience to the Deity they might more justly accuse him as not believing there were any Gods: Adding, as though he had somewhat of the same blessed Spirit that afterwards rested on the Apostles of Christ, that if they would dismiss him upon the Condition of not teaching his Philosophy any more,

Plat. in Apolog. pro Socrate. Diog. Laert. in vit. Soc.

[a] Αδικει Σωκρατης ους μεν η πολις νομιζει Θεους ου νομιζων· ετερα δε καινα δαιμονια εισηγουμενος. Αδικει δε και τους νεους διαφθειρων. Τιμημα θανατος.

[b] *I will obey God rather than you, and teach my Philosophy as long as I live.* However, notwithstanding the Goodneſs of his Cauſe and Defence, he was condemned for Impiety and Atheiſm, and ended his Life with a Draught of Poiſon, dying a real Martyr for God, and the Purity of his Worſhip. Thus we ſee that in the Ages of natural Reaſon and Light, not to be orthodox, or to differ from the eſtabliſhed Religion, was the ſame Thing as to be impious and atheiſtical, and that one of the wiſeſt Men that ever lived was put to Death merely on account of his Religion.

I muſt add, in Juſtice to the Laity, that the Judges and Accuſers of *Socrates* were not Prieſts. *Melitus* was a Poet, *Anytus* an Artificer, and *Lycon* an Orator; ſo that the Proſecution was truly Laick, and the Prieſts don't appear to have had any Share in his Accuſation, Condemnation, and Death. Nor, indeed, was their any Need of the Aſſiſtance of Prieſtcraft in this Affair, the Proſecution of this excellent Man being perfectly agreeable to the Conſtitution and Maxims of the *Athenian* Government; which had, to uſe the Words of a late Reverend Author, incorporated or made Religion a Part of the Laws of the civil Community. One of the *Attick* Laws was to this Effect: [c] *Let it be a perpetual Law, and binding at all Times, to worſhip our national Gods and Heroes publickly, according to the Laws of our Anceſtors.* So that no new Gods, nor new Doctrines about old Gods, nor any new Rites of Worſhip, could be introduced by any Perſon whatſoever, without incurring the Penalty of this Law, which was Death. Thus *Joſephus* tells us, that 'twas prohibited by Law to teach new Gods, and that the Puniſhment ordained againſt thoſe who ſhould introduce any ſuch, was Death. Agreeably to this, the Orator *Iſocrates*, pleading in the Grand Council of *Athens*, puts them in mind of the Cuſtom and Practice of their Anceſtors: [d] *This was their principal Care to aboliſh nothing they had received from their Fathers in Matters of Religion, nor to make any Addition to what they had eſtabliſhed.* And therefore, in his Advice to *Nicocles*, he exhorts him to [e] be *of the ſame Religion with his Anceſtors.* So that the Civil Eſtabliſhment of Religion in *Athens* was entirely excluſive, and no Toleration whatſoever allowed to thoſe who differed from it. On this Account the Philoſophers in general were, by a publick Decree, baniſhed from *Athens*, as teaching heterodox Opinions, and corrupting the Youth in Matters of Religion, and by a Law, very much reſembling the famous modern *Schiſm Bill*, [f] prohibited from being Maſters and Teachers of Schools, without Leave of the Senate and People, even under Pain of Death. This Law, indeed, like the other, was but very ſhort lived, and *Sophocles* the Author of it puniſhed in a Fine of five Talents. *Lyſimachus* alſo baniſhed them from his Kingdom. 'Tis evident from theſe Things, that according to the *Athenian* Conſtitution, *Socrates* was legally condemned for not

Dr. Rogers *Vind. of the Civil Eſtabliſhment*, &c.

Cont. Apion. l. 2. c. 37. Iſocrat. Areop.

Diog. Laert. *l.* 5. *Theophr.* Athen. *l.* 13. *c.* 9.

[b] Πεισομαι τῳ θεῳ μαλλον η υμιν. Plat. Ibid. Act. 5. 29.

[c] Θεσμος αιωνιος τοις Ατθιδα νεμομενοις, κυριος τον απαντα χρονον, Θεους τιμαν και ηρωας εγχωριους εν κοινω επομενους νομοις πατριοις.

[d] Εκεινο μονον ετηρουν οπως μηδεν μητε των πατριων καταλυσωσι, μητ' εξω των νομιζομενων προσθησωσιν.

[e] Τα περι τους Θεους ποιει μεν ως οι προγονοι κατεδειξαν.

[f] Μηδενα των φιλοσοφων σχολης αφηγεισθαι, αν μη τη βουλη και τω δημω δοξη· ει δε μη, θανατον ειναι την ζημιαν.

believing

believing in the Gods of his Country, and presuming to have better Notions of the Deity than his Superiors. In like manner, a certain Woman, a Priestess, was put to Death upon an Accusation of her introducing new Deities. Jos. Ibid.

Diogenes Laertius tells us, that *Anaxagoras*, the Philosopher, was accused of Impiety, because he [g] affirmed, that *the Sun was a Globe of red hot Iron*; which was certainly great Heresy, because his Country worshipped him as a God. *Stilpo* was also banished his Country, as the same Writer tells us, because he denied [h] *Minerva to be a God, allowing her only to be a Goddess*. A very deep and curious Controversy this, and worthy the Cognizance of the Civil Magistrate. *Diagoras* was also condemned to Death, and a Talent decreed to him that should kill him upon his Escape, being accused of deriding the Mysteries of the Gods. *Protagoras* also would have suffered Death, had he not fled his Country, because he had written something about the Gods, that differed from the orthodox Opinions of the *Athenians*. Upon the same Account, *Theodorus*, called *Atheus*, was also put to Death. In vit. *Anax.* *l.* 5. *c.* 38. Joseph. Ibid. Athen. Ibid.

The *Lacedemonians* constantly expelled Foreigners, and would not suffer their own Citizens to dwell in Foreign Parts, because they imagined that both the one and the other tended to corrupt and weaken their own Laws; nor would they suffer the teaching of Rhetorick or Philosophy, because of the Quarrels and Disputes that attended it. The *Scythians*, who delighted in human Blood, and were, as *Josephus* says, little different from Beasts, yet were zealously tenacious of their own Rites, and put *Anacharsis*, a very wise Person, to death, because he seemed to be very fond of the *Grecian* Rites and Ceremonies. *Herodotus* says, that he was shot through the Heart with an Arrow, by *Saulius* their King, for sacrificing to the Mother of the Gods after the manner of the *Grecians*; and that *Scyles*, another of their Kings, was deposed by them, for sacrificing to *Bacchus*, and using the *Grecian* Ceremonies of Religion, and his Head afterwards cut off by *Octamasades*, who was chosen King in his room. *So rigid were they*, says the Historian, *in maintaining their own Customs, and so severe in punishing the Introducers of foreign Rites*. Many also amongst the *Persians* were put to Death on the same Account. And, indeed, 'twas almost the Practice of all Nations to punish those who disbelieved or derided their national Gods; as appears from *Timocles*, who, speaking of the Gods of the *Ægyptians*, says, *How shall the Ibis, or the Dog, preserve me?* [i] And then adds, *Where is the Place that doth not immediately punish those who behave impiously towards the Gods, such as are confessed to be Gods?* Joseph. Ibid. §. 36. Athen. *l.* 13. *c.* 9. Ibid. § 37. Herodot. Melpom. 109. Ed. Hen. Steph. Joseph. Ibid. Athen. *l.* 7. *c.* 13.

Juvenal [k] gives us a very tragical Account of some Disputes and Quarrels about Religion amongst the *Ægyptians*, who entertained an eternal Hatred Satyr. 15.

[g] Διοτι τον ηλιον μυδρον ελεγε διαπυρον.
[h] Μη ειναι αυτην Θεον, αλλα Θεαν.
[i] Οπε γαρ εις Θεες τες ομολογεμενες Θεες ασεβεντες ε διδοασιν ευθεως δικην.
[k] Inter finitimos vetus atq; antiqua simultas,
Immortale odium, & nunquam sanabile vulnus
Ardet adhuc, Ombos & Tentyra. Summus utrinq;
Inde furor vulgo, quod numina vicinorum
Odit uterq; locus, cum solos credat habendos
Esse deos quos ipse colit.——

and

and Enmity against each other, and eat and devoured one another, because they did not all worship the same God.

English'd by Mr. Dryden, &c. Joseph. cont. Ap. l. 2. §. 6.

Ombos *and* Tentyr, *neighbouring Towns, of late,*
Broke into Outrage of deep fester'd Hate.
Religious Spite and pious Spleen bred first
This Quarrel, which so long the Bigots nurst.
Each calls the others God a senseless Stock,
His own, Divine, tho' from the self-same Block.
At first both Parties in Reproaches jar,
And make their Tongues the Trumpets of the War.
Words serve but to enflame the warlike Lists,
Who wanting Weapons clutch their horny Fists.
Yet thus make shift t'exchange such furious Blows,
Scarce one escapes with more than half a Nose.
Some stand their Ground with half their Visage gone,
But with the Remnant of a Face fight on.
Such transform'd Spectacles of Horror grow,
That not a Mother her own Son would know.
One Eye remaining, for the other Spies,
Which now on Earth a trampled Gelly lies.

All this religious Zeal hitherto is but mere Sport and childish Play, and therefore they piously proceed to farther Violences, to hurling of Stones, and throwing of Arrows, till one Party routs the other, and the Conquerors feast themselves on the mangled Bodies of their divided Captives.

Yet hitherto both Parties think the Fray,
But Mockery of War, mere Childrens Play.
This whets their Rage, to search for Stones——
An Ombite *Wretch (by Headlong strait betray'd,*
And falling down i'th' Rout) is Prisoner made.
Whose Flesh torn off by Lumps the ravenous Foe
In Morsels cut, to make it farther go.
His Bones clean pick'd, his very Bones they gnaw;
No Stomach's baulk'd, because the Corps is raw.
T' had been lost Time to dress him: Keen Desire
Supplies the Want of Kettle, Spit, and Fire.

De Isid. & Osir. *p.* 380. Ed. Franc.

Plutarch also relates, that in his Time some of the *Ægyptians* who worshipp'd a Dog, eat one of the Fishes, which others of the *Ægyptians* adored as their Deity; and that upon this the Fish Eaters laid hold on the other's Dogs, and sacrificed and eat them, and that this gave Occasion to a bloody Battle, in which a great Number were destroy'd on both Sides.

Antiochus

Antiochus Epiphanes, tho' a very wicked Prince, yet was a great Zealot for his Religion, and endeavoured to propagate it by all the Methods of the most bloody Persecution. *Josephus* tells us, that after he had taken *Jerusalem*, and plunder'd the Temple, he caused an Altar to be built in it, upon which he sacrificed Swine, which were an Abomination to the *Jews*, and forbidden by their Laws. Not content with this, he compelled them to forsake the Worship of the true God, and to worship such as he accounted Deities; building Altars and Temples to them in all the Towns and Streets, and offering Swine upon them every Day. He commanded them to forbear circumcising their Children, grievously threatning such as should disobey his Orders. He also appointed Επισκοπυς, *Overseers*, to compel the *Jews* to come in, and do as he had ordered them. Such as rejected it, were continually persecuted, and put to Death, with the most grievous Tortures. He ordered them to be cruelly scourged, and their Bodies to be tore, and before they expired under their Tortures, to be crucified. The Women, and the Children which they circumcised, were, by his Command, hanged, the Children hanging from the Necks of their crucified Parents. Where-ever he found any of the sacred Books, or of the Law, he destroy'd them, undoubtedly to prevent the Propagation of heretical Opinions, and punished with Death such as kept them. The same Author tells us also, in his History of the *Maccabees*, that *Antiochus* put forth an Edict, whereby he made it Death for any to observe the *Jewish* Religion, and compelled them, by Tortures, to abjure it. The inhuman Barbarities he exercised upon *Eleazar* and the *Maccabees*, because they would not renounce their Religion, and sacrifice to his *Grecian* Gods, are not, in some Circumstances, to be parallel'd by any Histories of Persecution extant, and will ever render the Name and Memory of that *illustrious Tyrant* execrable and *infamous*. It was on the same religious Account that he banished the Philosophers from all Parts of his Kingdom, the Charge against them being, *their corrupting the Youth*, *i. e.* teaching them Notions of the Gods, different from the common orthodox Opinions which were established by Law, commanding *Phanias*, that such Youths as conversed with them should be hanged.

Antiq. Jud. l. 12. c. 5.

Athen. l. 12. c. 12.

The ten Persecutions, as they are reckoned, of the Christians by the *Roman* Emperors, purely for their Religion, are standing Monuments of their religious Zeal, or rather of their outragious Fury against all who would not comply with the established Religion. Indeed, the very civil Constitution of *Rome* was founded upon persecuting Principles. *Tertullian* tells us, [i] *That 'twas an ancient Decree that no Emperor should consecrate a new God, unless he was approved by the Senate*; and one of the standing Laws of the Republick was to this Effect, as *Cicero* gives it, [k] *That no one should have separately new Gods, no nor worship privately foreign Gods, unless admitted by the Commonwealth.* This

Apol. c. 2.

De Leg. l. 2.

[i] Vetus erat decretum ne qui Deus ab imperatore consecraretur, nisi a Senatu probatus.

[k] Separatim nemo habessit deos neve novos, sed ne advenas, nisi publice adscitos, privatim colunto.

Law he endeavours to vindicate by Reason and the Light of Nature, by adding, That *for Persons to worship their own, or new, or foreign Gods, would be to introduce Confusion and strange Ceremonies in Religion.* (De Leg. l. 2. c. 10.) So true a Friend was this eminent *Roman*, and great Master of Reason, to Uniformity of Worship; and so little did he see the Equity, and indeed Necessity of an universal Toleration in Matters of Religion. Upon this Principle, after he had reasoned well against the false Notions of God that had obtained amongst his Countrymen, and the publick Superstitions of Religion, he concludes with what was enough to destroy the Force of all his Arguments, [l] *'Tis the Part of a wise Man to defend the Customs of his Ancestors, by retaining their sacred Rites and Ceremonies.* (De Divin. l. 2. fin.) Thus narrow was the Foundation of the *Roman* Religion, and thus inconsistent the Sentiments of the wisest Heathens with all the Principles of Toleration and universal Liberty. It was no wonder therefore that Christianity, which was so perfectly contrary to the whole System of Pagan Theology, should be looked upon with an evil Eye, or that when the Number of Christians encreased, they should incur the Displeasure of the Civil Magistrate, and the Censure of the penal Laws that were in force against them.

The first publick Persecution of them by the *Romans* was begun by that Monster of Mankind, *Nero*; who, to clear himself of the Charge of burning *Rome*, endeavoured to fix the Crime on the Christians; and having thus falsly and tyrannically made them guilty, he put them to Death by various Methods of exquisite Cruelty. But though this was the Pretence for this Barbarity towards them, yet it evidently appears from undoubted Testimonies, that they were before hated upon Account of their Religion, and were therefore fitter Objects to fall a Sacrifice to the Resentment and Fury of the Tyrant. For *Tacitus* tells us, That *they were* [m] *hated for their Crimes.* (Annal. l. 15. c. 44.) And what these were, he afterwards sufficiently informs us, by calling their Religion [n] *an execrable Superstition.* In like manner *Suetonius*, in his Life of *Nero*, speaking of the Christians, says, [o] *They were a Set of Men who had embraced a new and accursed Superstition.* (Ibid. Cap. 16.) And therefore *Tacitus* farther informs us, That those who confessed themselves Christians, [p] *were condemned not so much for the Crime of burning the City, as for their being hated by all Mankind.* (Annal. l. 15. c. 44.) So that 'tis evident from these Accounts, that 'twas through popular Hatred of them for their Religion, that they were thus sacrificed to the Malice and Fury of *Nero*. Many of them he dressed up in the Skins of wild Beasts, that they might be devoured by Dogs. Others he crucified. Some he cloathed in Garments of Pitch and burnt them, that by their Flames he might supply the Absence of the Day-light.

The Persecution begun by *Nero* was revived, and carried on by *Domitian*, who put some to Death, and banish'd others upon Account of their Religion. (E. H. l. 3. c. 17, 18.) *Eusebius* mentions *Flavia Domitilla*, Neice to *Flavius Clemens*, then Consul, as

[l] Majorum Instituta tueri sacris Ceremoniisque retinendis, sapientis est.
[m] Per flagitia invisos.
[n] Exitiabilis superstitio.
[o] Genus Hominum, superstitionis novæ & maleficæ.
[p] Haud perinde in crimine incendii, quam odio humani generis convicti.

banished

banished for this Reason to the Island *Pontia*. *Dion* the Historian's Account of l. 67. in this Affair is somewhat different. [q] "He tells us, That *Fabius Clemens* the Domit. "Consul, *Domitian*'s Cousin, who had married *Flavia Domitilla*, a near Re-"lation of *Domitian*, was put to Death by him, and *Domitilla* banished "to *Pandataria*, being both accused of Atheism; and that on the same Ac-"count many who had embraced the *Jewish* Rites were likewise condemned, "some of whom were put to Death, and others had their Estates confisca-"ted." I think this Account can belong to no other but the Christians, whom *Dion* seems to have confounded with the *Jews*; a Mistake into which he and others might naturally fall, because the first Christians were *Jews*, and came from the Land of *Judea*. The Crime with which these Persons were charged was Atheism; the Crime commonly imputed to Christians, because they refused to worship the *Roman* Deities. And as there are no Proofs, that *Domitian* ever persecuted the *Jews* upon account of their Religion, nor any Intimation of this Nature in *Josephus*, who finished his Antiquities towards the latter end of *Domitian*'s Reign; I think the Account of *Eusebius*, which he declares he took from Writers, who were far from being Friends to Christianity, is preferable to that of *Dion*'s; and that therefore these Persecutions by *Domitian* were upon account of Christianity. However, they did not last long, for E. H. L. 3. as *Eusebius* tells us, he put a Stop to them by an Edict in their favour. *Tertul-* c. 20. *lian* also affirms the same, and adds, that he recalled those whom he had ba- Apol. c. 5. nished. So that though this is reckon'd by Ecclesiastical Writers as the second Persecution, it doth not appear to have been general, or very severe. *Domi-* Suet. in *tian* also expelled all the Philosophers from *Rome* and *Italy*. vit. Domit. c. 10.

Under *Trajan*, otherwise a most excellent Prince, began the third Persecution, in the 14th Year of his Reign. In answer to a Letter of *Pliny* he ordered, [r] That *the Christians should not be sought after, but that if they were accused and convicted of being Christians they should be punished, such only excepted as should deny themselves to be Christians, and give an evident Proof of it by worshipping his Gods*. These were to receive Pardon upon this their Repentance, how much soever they might have been suspected before. From this imperial Rescript it is abundantly evident, that this Persecution of the Christians by *Trajan* was purely on the Score of their Religion, because he orders, that whosoever was accused and convicted of being a Christian should be punished with Death, unless he renounced his Profession, and sacrificed to the Gods. All that was required, [s] says *Tertullian*, was *meerly to confess the Name, without any Cognizance* Apol. c. 2. *being taken of any Crime*. *Pliny* himself, in his Letter to the Emperor, acquits them of every Thing of this Nature, and tells him, [t] That *all they acknowledged*

[q] Επηνεχθη δε αμφοιν εγκλημα αθεοτητος.

[r] Conquirendi non sunt. Si deferantur & arguantur puniendi sunt; ita tamen ut qui negaverit se Christianum esse, idq; reipsa manifestum fecerit, id est supplicando Diis nostris, quamvis suspectus in præteritum fuit, veniam ex pœnitentia impetret.

[s] Illud solum expectatur——confessio nominis, non examinatio criminis.

[t] Adfirmabant autem hanc fuisse summam vel culpæ suæ, vel erroris, quod essent soliti stato die ante lucem convenire, carmenq; Christo, quasi Deo, dicere, secum invicem; seq; sacramento, non in scelus aliquod astringere, sed ne furta, ne latrocinia, ne adulteria committerent.

was, that their whole Crime or Error consisted in this, that at stated Times they were used to meet before Day-light, and to sing an Hymn to Christ as God, and that they bound themselves by an Oath not to commit any Wickedness, such as Thefts, Robberies, Adulteries, and the like. And to be assured of the Truth of this, he put two Maids to the Torture, and after examining them, found them guilty of nothing but *a wicked and unreasonable Superstition.* This is the noblest Vindication of the Purity and Innocency of the Christan Assemblies, and abundantly justifies the Account of *Eusebius* from *Hegesippus*, [u] *That the Church continued until these Times as a Virgin pure and uncorrupted*; and proves beyond all Contradiction, that the Persecution raised against them was purely on a religious Account, and not for any Immoralities and Crimes against the Laws, that could be proved against the Christians, though their Enemies slandered them with the vilest, and hereby endeavoured to render them hateful to the whole World. *Why*, says *Tertullian*, *doth a Christian suffer, but for being of their Number? Hath any one proved Incest, or Cruelty upon us, during this long space of Time? No; 'tis for our Innocence, Probity, Justice, Chastity, Faith, Veracity, and for the living God that we are burnt alive.* *Pliny* was forced to acquit them from every Thing but *an unreasonable Superstition*, i. e. their resolute Adherence to the Faith of Christ. And yet though Innocent in all other respects, when they were brought before his Tribunal he treated them in this unrighteous Manner: He only asked them, Whether they were Christians? If they confessed it, he asked them the same Question again and again, adding Threatnings to his Questions. If they persevered in their Confession he condemned them to Death, because whatever their Confession might be, he was very sure, *that their Stubbornness and inflexible Obstinacy deserved Punishment.* So that without being convicted of any Crime, but that of Constancy in their Religion, this equitable Heathen, this rational Philosopher, this righteous Judge, condemns them to a cruel Death. And for this Conduct the Emperor, his Master, commends him. For in answer to *Pliny*'s Question, Whether he should go on to punish the Name it self, though chargeable with no Crimes, or the Crimes only which attended the Name? *Trajan* in his Rescript, after commending *Pliny*, orders, That if they were accused and convicted of being Christians they should be put to Death, unless they renounced that Name, and sacrificed to his Gods. *Tertullian* and *Athenagoras*, in their Apologies, very justly inveigh with great Warmth against this imperial Rescript; and indeed, a more shameful Piece of Iniquity was never practised in the darkest Times of Popery. I hope also my Reader will observe, that this was Lay-Persecution, and owed its Rise to the religious Zeal of one of the best of the *Roman* Emperors, and not only to the Contrivances of cruel and designing Priests; that it was justified and carried on by a very famous and learned Philosopher, whose Reason taught him, that what he accounted Superstition, if incurable, was to be punished with Death; and that it was managed with great Fury and Barbarity, Multitudes of Persons in the several Provinces being destroyed merely on account of the Christian Name, by various and exquisite Methods of Cruelty.

E. H. L. 3. c. 32.

Ad Scapul.

[u] Αχρι μεχρι των τοτε χρονων παρθενος καθαρα κ) αδιαφθορος εμεινεν η εκκλησια.

The Rescript of *Adrian* his Successor to *Minutius Fundanus*, Pro-Consul of *Asia*, seems to have somewhat abated the Fury of this Persecution, though not wholly to have put an End to it. *Tertullian* tells us, that *Arrius Antoninus*, afterwards Emperor, then Pro-Consul of *Asia*, when the Christians came in a Body before his Tribunal, order'd some of them to be put to Death; and said to others, [x] *You Wretches! If you will die ye have Precipicies and Halters.* He also says, That several other Governors of Provinces punished some few Christians, and dismissed the rest; so that the Persecution was not so general, nor severe as under *Trajan*. Ad Scap.

Under *Antoninus Pius* the Christians were very cruelly treated in some of the Provinces of *Asia*, which occasioned *Justin Martyr* to write his first Apology. It doth not however appear to have been done, either by the Order or Consent of this Emperor. On the contrary, he wrote Letters to the Cities of *Asia*, and particularly to those of *Larissa*, *Thessalonica*, *Athens*, and all the *Greeks*, That they should create no new Troubles to them. 'Tis probable, that the *Asiatick* Cities persecuted them by virtue of some former imperial Edicts which don't appear ever to have been recalled; and, perhaps, with the Connivance of *Antoninus Philosophus*, the Collegue and Successor of *Pius* in the Empire.

Under him began, as 'tis generally accounted, the fourth Persecution, upon which *Justin Martyr* wrote his second Apology, *Meliton* his, and *Athenagoras* his Legation or Embassy for the Christians. *Meliton*, as *Eusebius* relates it, complains of it as *an almost unheard of Thing, that pious Men were now persecuted, and greatly distressed by new Decrees throughout* Asia; *that most impudent Informers, who were greedy of other Persons Substance, took Occasion from the imperial Edicts, to plunder others who were intirely innocent.* After this he humbly beseeches the Emperor, that he would not suffer the Christians to be any longer used in so cruel and unrighteous a Manner. *Justin Martyr*, in the Account he gives of the Martyrdom of *Ptolemæus*, assures us, that the only Question asked him was, *Whether he was a Christian?* And upon his confessing that he was, he was immediately ordered to the Slaughter. *Lucius* was also put to Death for making the same Confession, and asking *Urbicus* the Prefect, why he condemned *Ptolemy*, who was neither convicted of Adultery, Rape, Murther, Theft, Robbery, nor of any other Crime, but only for owning himself to be a Christian. From these Accounts 'tis abundantly evident, that it was still the very Name of a Christian that was made capital; and that these Cruelties were committed by an Emperor who was a great Master of Reason and Philosophy, not as Punishments upon Offenders against the Laws and publick Peace, but purely for the Sake of Religion and Conscience; committed, to maintain and propagate Idolatry, which is contrary to all the Principles of Reason and Philosophy, and upon Persons of great Integrity and Virtue in Heart and Life, for their Adherence to the Worship of One God, which is the Foundation of all true Religion, and one of the plainest and most important Articles of it. The Tortures which the Persecutors of the Christians applied, and the Cruelties they

E. H. l. 4. c. 26.

Apol. 2da. c. 42. Edit. Thirlb.

[x] Ω δειλοι, ει θελετε αποθνησκειν κρημνους η βροχους εχετε.

exer-

exerciſed on them, enough, one would think, to have overcome the firmeſt human Reſolution and Patience, could never extort from them a Confeſſion of that Guilt their Enemies would gladly have fixed on them. And yet Innocent as they were in all reſpects, they were treated with the utmoſt Indignity, and deſtroy'd by ſuch Inventions of Cruelty, as were abhorrent to all the Principles of Humanity and Goodneſs. They were, indeed, accuſed of Atheiſm, *i. e.* for not believing in and worſhipping the fictitious Gods of
Euſeb. the Heathens. This was the Cry of the Multitude againſt *Polycarp: This is the*
E. H. l. 4. *Doctor of* Aſia, *the Father of the Chriſtians, the Subverter of our Gods, who teaches*
c. 15. *many that they muſt not perform the ſacred Rites, nor worſhip our Deities.* This was the Reaſon of the tumultuous Cry againſt him, Αἶρε τοὺς Ἀθέους, *Away with theſe Atheiſts.* But would not one have imagined that Reaſon and Philoſophy ſhould have informed the Emperor, that this kind of Atheiſm was a real Virtue, and deſerved to be encouraged and propagated amongſt Mankind? No; Reaſon and Philoſophy here failed him, and his blind Attachment to his Country Gods cauſed him to ſhed much innocent Blood, and to become the
Id. l. 4. Deſtroyer of the Saints of the Living God. At laſt, indeed, the Emperor
c. 13. ſeems to have been ſenſible of the great Injuſtice of this Perſecution, and by an Edict ordered they ſhould be no longer puniſhed for being Chriſtians.

I ſhall not trouble my Reader with an Account of this Perſecution as carried on by *Severus*, *Decius*, *Gallus*, *Valerianus*, *Diocleſian*, and others of the *Roman* Emperors, but only obſerve in general, that the moſt exceſſive and outragious Barbarities were made uſe of upon all who would not blaſpheme Chriſt, and offer Incenſe to the imperial Gods: They were publickly whipped; drawn by the Heels through the Streets of Cities, racked till every Bone of their Bodies was disjointed; had their Teeth beat out; their Noſes, Hands and Ears cut off; ſharp pointed Spears ran under their Nails; were tortured with melted Lead thrown on their naked Bodies; had their Eyes dug out; their Limbs cut of; were condemned to the Mines; ground between Stones; ſtoned to Death; burnt alive; thrown Headlong from high Buildings; beheaded; ſmothered in burning Lime-Kilns; ran through the Body with ſharp Spears; deſtroyed with Hunger, Thirſt and Cold; thrown to the wild Beaſts; broiled on Gridirons with ſlow Fires; caſt by Heaps into the Sea; crucified; ſcraped to Death with ſharp Shells; torn in Pieces by the Boughs of Trees; and, in a Word, deſtroy'd by all the various Methods that the moſt diabolical Subtlety and Malice could deviſe.

It muſt indeed be confeſſed, that under the latter Emperors who perſecuted the Chriſtians, the Simplicity and Purity of the Chriſtian Religion were greatly corrupted, and that Ambition, Pride and Luxury, had too generally prevail-
Epiſt. xi. ed both amongſt the Paſtors and People. *Cyprian*, who lived under the *Decian*
Ed. Fell. Perſecution, writing concerning it to the Preſbyters and Deacons, ſays, *It muſt be owned and confeſſed, that this outragious and heavy Calamity, which hath almoſt devoured our Flock, and continues to devour it to this Day, hath hapned to us becauſe of our Sins, ſince we keep not the Way of the Lord, nor obſerve his heavenly Commands given to us for our Salvation. Though our Lord did the Will of his Father,*

yet

yet we do not the Will of the Lord. Our principal Study is to get Money and Estates; we follow after Pride; we are at Leisure for nothing but Emulation and Quarrelling; and have neglected the Simplicity of the Faith. We have renounced this World in Words only, and not in deed. Every one studies to please himself, and to displease others. After *Cyprian*, *Eusebius* the Historian gives a sad Account of the Degeneracy of Christians about the Time of the *Dioclesian* Persecution: He tells us, *That through too much Liberty they grew negligent and slothful, envying and reproaching one another; waging, as it were, civil Wars between themselves, Bishops quarrelling with Bishops, and the People divided into Parties: That Hypocrisy and Deceit were grown to the highest pitch of Wickedness; that they were become so insensible, as not so much as to think of appeasing the Divine Anger, but that, like Atheists, they thought the World destitute of any providential Government and Care, and thus added one Crime to another; that the Bishops themselves had thrown off all Care of Religion, were perpetually contending with one another, and did nothing but quarrel with, and threaten, and envy, and hate one another; were full of Ambition, and tyrannically used their Power.* This was the deplorable State of the Christian Church, which God, as *Eusebius* well observes, first punished with a gentle Hand; but when they grew harden'd and incurable in their Vices, he was pleased to let in the most grievous Persecutions upon them, under *Dioclesian*, which exceeded in Severity and Length all that had been before.

E. H. l. 8. c. 1.

From these Accounts it evidently appears, that the Christian World alone is not chargeable with the Guilt of Persecution on the Score of Religion. 'Twas practised long before Christianity was in being, and first taught the Christians by the persecuting Heathens. The most eminent Philosophers espoused and vindicated persecuting Principles; and Emperors, otherwise excellent and good, made no scruple of destroying Multitudes on a religious Account, such as *Trajan*, and *Aurelius Verus*. And I think I may farther add, that the Method of propagating Religion by Cruelty and Death, owes its Invention to *Lay Policy* and Craft; and that how servilely soever the Priesthood hath thought fit to imitate them, yet that they have never exceeded them in Rigour and Severity. I can trace out the Footsteps but of very few Priests in the foregoing Accounts; nor have I ever heard of more excessive Cruelties than those practised by *Antiochus*, the *Egyptian* Heretick Eaters, and the *Roman* Emperors. I may farther add on this important Article, that 'tis the Laity who have put it into the Power of the Priests to persecute, and rendered it worth their while to do it; they have done it by the Authority of the civil Laws, as well as employed Lay Hands to execute the Drudgery of it. The Emoluments of Honours and Riches that have been annexed to the favourite Religion and Priesthood is the Establishment of civil Society, whereby Religion hath been made extremely profitable, and the Gains of Godliness worth contending for. Had the Laity been more sparing in their Grants, and their civil Constitutions formed upon the generous and equitable Principle of an universal Toleration, Persecution had never been heard of amongst Men. The Priests would have wanted not only the Power but the Inclination to persecute; since few Persons have such an Attachment either to what they account

Religion or Truth, as to torment and destroy others for the sake of it, unless tempted with the Views of worldly Ambition, Power and Grandure. These Views will have the same Influence upon all bad Minds, whether of the Priesthood or Laity, who, when they are determined at all Hazards to pursue them, will use all Methods, right or wrong, to accomplish and secure them.

As therefore the Truth of History obliges me to compliment the Laity with the Honour of this excellent Invention, for the Support and Propagation of Religion; and as its Continuance in the World to this Day is owing to the Protection and Authority of their Laws, and to certain political Ends and Purposes they have to serve thereby, the loading the Priesthood only, or principally, with the Infamy and Guilt of it, is a mean and groundless Scandal; and to be perpetually objecting the Cruelties that have been practised by some who have called themselves Christians, on others for Conscience sake, as an Argument against the Excellency of the Christian Religion, or with a View to prejudice others against it, is an Artifice unworthy a Person of common Understanding and Honesty. Let all equally share the Guilt, who are equally chargeable with it; and let Principles be judged of by what they are in themselves, and not by the Abuses which bad Men may make of them: If any Argument can be drawn from these, we may as well argue against the Truth and Excellency of Philosophy, because *Cicero* espoused the Principles of Persecution, and *Antoninus* the Philosopher authorized all the Cruelties attending it. But the Question in these Cases is not, what one who calls himself a Philosopher or a Christian doth, but what true Philosophy and genuine Christianity lead to and teach; and if Persecution be the natural Effect of either of them, 'tis neither in my Inclination or Intention to defend them. But I pass from these Reflections to the History of Christian Persecutions.

SECT. II.

Of the Persecutions amongst Christians upon Account of Religion.

IF any Person was to judge of the Nature and Spirit of the Christian Religion, by the Spirit and Conduct only of too many who have professed to believe it in all Nations, and almost throughout all Ages of the Christian Church, he could scarce fail to censure it as an Institution unworthy the God of Order and Peace, subversive of the Welfare and Happiness of Societies, and designed to enrich and aggrandize a Few only, at the Expence of the Liberty, Reason, Consciences, Substance, and Lives of others. For what Confusions and Calamities, what Ruins and Desolations, what Rapines and Murthers, have been introduced into the World, under the *pretended Authority* of Jesus Christ, and supporting and propagating Christianity? What is the best part of our Ecclesiastical History better than an History of the Pride and Ambition, the Avarice and Tyranny, the Treachery and Cruelty of some, and of the Per-

Perſecutions and dreadful Miſeries of others? And what could an unprejudiced Perſon, acquainted with this melancholy Truth, and who had never ſeen the ſacred Records, nor informed himſelf from thence of the genuine Nature of Chriſtianity, think, but that it was one of the worſt Religions in the World, as tending to deſtroy all the natural Sentiments of Humanity and Compaſſion, and inſpiring its Votaries with that *Wiſdom which is from beneath*, and which *is earthly, ſenſual and deviliſh?* If this Charge could be juſtly fixed upon the Religion of Chriſt, it would be unworthy the Regard of every wiſe and good Man, and render it both the Intereſt and Duty of every Nation in the World to reject it.

It muſt be allowed by all who know any Thing of the Progreſs of the Chriſtian Religion, that the firſt Preachers and Propagators of it uſed none of theſe vile Methods to ſupport and ſpread it. Both their Doctrines and Lives deſtroy every Suſpicion of this Nature; and yet in their Times the beginnings of this Spirit appeared: *Diotrephes loved the Preheminence*, and therefore would not own and receive the inſpired Apoſtle. We alſo read, that there were great Diviſions and Schiſms in the Church of *Corinth*, and that many grievous Diſorders were cauſed therein, by their ranking themſelves under different Leaders and Heads of Parties, one being for *Paul*, another for *Apollos*, and others for *Cephas*. Theſe Animoſities were difficultly healed by the Apoſtolick Authority; but do not however appear to have broken out into mutual Hatreds, to the open Diſgrace of the Chriſtian Name and Profeſſion. The Primitive Chriſtians ſeem for many Years generally to have maintained the warmeſt Affection for each other, and to have diſtinguiſhed themſelves by their mutual Love, the great Characteriſtick of the Diſciples of Chriſt. The Goſpels, and the Epiſtles of the Apoſtles all breath with this amiable Spirit, and abound with Exhortations to cultivate this God-like Diſpoſition. 'Tis reported of St. *John*, that in his extreme old Age at *Epheſus*, being carried into the Church by the Diſciples, upon account of his great Weakneſs, he uſed to ſay nothing elſe every Time he was brought there, but this remarkable Sentence, *Filioli diligite alterutrum, Little Children love one another*. And when ſome of the Brethren were tired with hearing ſo often the ſame Thing, and aſked him, Sir, Why do you always repeat this Sentence; he anſwered with a Spirit worthy an Apoſtle, *Quia preceptum Domini eſt. Et ſi ſolum fiat, ſufficit. 'Tis the Command of the Lord, and the fulfilling of the Law.* Precepts of this kind ſo frequently inculcated, could not but have a very good Influence in keeping alive the Spirit of Charity and mutual Love. And indeed the Primitive Chriſtians were ſo very remarkable for this Temper, that they were taken notice of on this very Account, and recommended even by their Enemies as Patterns of Beneficence and Kindneſs.

Hieron. in Gal. c. 6.

But at length, in the ſecond Century, the Spirit of Pride and Domination appeared publickly, and created great Diſorders and Schiſms amongſt Chriſtians. There had been a Controverſy of ſome ſtanding, on what Day *Eaſter* ſhould be celebrated. The *Aſiatick* Churches thought that it ought to be kept on the ſame Day on which the *Jews* held the Paſſover, the fourteenth Day of *Niſan* their firſt Month, on whatſoever Day of the Week it ſhould fall out. The

Custom of other Churches was different, who kept the Festival of *Easter* only on that Lord's Day which was next after the fourteenth of the Moon. This Controversy appears at first View to be of no manner of Importance, as there is no Command in the sacred Writings to keep this Festival at all, much less specifying the particular Day on which it should be celebrated. *Eusebius* tells us from *Irenæus*, that *Polycarp* Bishop of *Smyrna* came to *Anicetus* Bishop of *Rome* on account of this very Controversy; and that though they differed from one another in this and some other lesser Things, yet they embraced one another with a Kiss of Peace; *Polycarp* neither persuading *Anicetus* to conform to his Custom, nor *Anicetus* breaking off Communion with *Polycarp*, for not complying with his. This was a Spirit and Conduct worthy these Christian Bishops: But *Victor* the *Roman* Prelate acted a more haughty and violent part; for after he had received the Letters of the *Asiatick* Bishops, giving their Reasons for their own Practice, he immediately excommunicated all the Churches of *Asia*, and those of the neighbouring Provinces, for Heterodoxy; and by his Letters declared all the Brethren unworthy of Communion. This Conduct was greatly displeasing to some other of the Bishops, who exhorted him to mind the Things that made for Peace, Unity, and Christian Love. *Irenæus* especially, in the Name of all his Brethren, the Bishops of *France*, blamed him for thus censuring whole Churches of Christ, and puts him in mind of the peaceable Spirit of several of his Predecessors, who did not break off Communion with their Brethren upon account of such lesser Differences as these. Indeed this Action of Pope *Victor* was a very insolent Abuse of Excommunication; and is an abundant Proof that the Simplicity of the Christian Faith was greatly departed from, in that Heterodoxy and Orthodoxy were made to depend on Conformity or Non-Conformity to the Modes and Circumstances of certain Things, when there was no Shadow of any Order for the Things themselves in the sacred Writings; and that the Lust of Power, and the Spirit of Pride, had too much possessed some of the Bishops of the Christian Church. The same *Victor* also excommunicated one *Theodosius* for being unsound in the Doctrine of the Trinity.

Euseb. l. 5. c. 24.

Euseb. l. 5. c. 28.

'Tis no wonder that after this we should find Matters growing worse and worse. As the Primitive Christians had any intervals from Persecution they became more profligate in their Morals, and more quarrelsome in their Tempers. As the Revenues of the several Bishops increased they grew more Ambitious, less capable of Contradiction, more haughty and arrogant in their Behaviour, more envious and revengeful in every part of their Conduct, and more regardless of the Simplicity and Gravity of their Profession and Character. The Accounts I have before given of them from *Cyprian* and *Eusebius* before the *Dioclesian* Persecution, to which I might add the later one of St. *Jerom*, are very melancholy and affecting, and shew how vastly they were degenerated from the Piety and peaceable Spirit of many of their Predecessors, and how ready they were to enter into the worst Measures of Persecution, could they but have got the Opportunity and Power.

Epist. 13.

Under

Under *Constantine* the Emperor, when they were restored to full Liberty, their Churches rebuilt, and the imperial Edicts every where published in their Favour, they immediately began to discover what Spirit they were of; as soon as ever they had the Temptations of Honour and large Revenues before them. *Constantine*'s Letters are full Proof of the Jealousies and Animosities that reigned amongst them. In his Letters to *Miltiades* Bishop of *Rome* he E. H. l. 10. c. 5.
tells him, that he had been informed that *Cæcilianus* Bishop of *Carthage* had been accused of many Crimes by some of his Collegues, Bishops of *Africa*, and that it was very grievous to him to see so great a Number of People divided into Parties, and the Bishops disagreeing amongst themselves. And though the Ibid.
Emperor was willing to reconcile them by a friendly Reference of the Controversy to *Miltiades* and others, yet in spite of all his Endeavours they maintained their Quarrels, and factious Opposition to each other, and through secret Grudges and Hatred would not acquiesce in the Sentence of those he had appointed to determine the Affair. So that as he complained to *Chrestus* Bishop of *Syracuse*, those who ought to have maintained a brotherly Affection and peaceable Disposition towards each other, did in a scandalous and detestible Manner separate from one another, and gave Occasion to the common Enemies of Christianity to deride and scoff at them. For this Reason he summoned a Council to meet at *Arles* in *France*, that after an impartial hearing of the several Parties, this Controversy which had been carried on for a long while in a very intemperate Manner, might be brought to a Friendly and Christian Compromise. *Eusebius* farther adds, that he not only called together Councils in the several Provinces upon account of the Quarrels that arose amongst the Bishops, De Vit. Con. l. 1. c. 44.
but that he himself was present in them, and did all he could to promote Peace amongst them. However, all he could do had but little effect; and it must be owned that he himself greatly contributed to prevent it, by his large Endowment of Churches, by the Riches and Honours which he conferred on the Bishops, and especially by his authorizing them to sit as Judges upon the Consciences and Faith of others, by which he confirmed them in a worldly Spirit, the Spirit of Domination, Ambition, Pride and Avarice, which hath in all Ages proved fatal to the Peace and true Interest of the Christian Church.

In the first Edict, given us at large by *Eusebius*, published in favour of the E. H. l. 10. c. 5.
Christians, he acted the part of a wise, good, and impartial Governor, in which, without mentioning any particular Sects, he gave full liberty to all Christians, [y] and to all other Persons whatsoever, of following that Religion which they thought best. But this Liberty was of no long Duration, and soon abridged in reference both to the Christians and Heathens. For although in this first mentioned Edict he orders the Churches and Effects of the Christians in general to be restored to them, yet in one immediately following he confines this Grant to the Catholick Church. After this, in a Letter to *Miltiades* Bishop of *Rome*, complaining of the Differences fomented by the

[y] Ακολουθως τη ησυχια των ημετερων καιρων γινεσθαι φανερον εστιν, οπως εξουσιαν εκαστος εχη του αιρεισθαι και τημελειν οποιον δ'αν βουληται θειον.

African Bishops, he lets him know, that he had so great a Reverence for the Catholick Church, that he would not have him suffer in any Place any Schism or Difference whatsoever. In another to *Cæcilianus* Bishop of *Carthage*, after giving him to understand, that he had ordered *Ursus* to pay his Reverence three Thousand Pieces; and *Heraclides* to disburse to him whatever other Sums his Reverence should have occasion for, he orders him to complain of all Persons who should go on to corrupt the People of the most holy Catholick Church by any evil and false Doctrine, to *Anulinus* the Pro-Consul, and *Patricius*, to whom he had given Instructions on this Affair, that if they persevered in such Madness they might be punished according to his Orders. 'Tis easy to guess what the Catholick Faith and Church meant, *viz.* that which was approved by the Bishops, who had the greatest Interest in his Favour.

E. H. l. 10. c. 6.

As to the Heathens, soon after the Settlement of the whole Empire under his Government, he sent into all the Provinces Christian Presidents, forbidding them, and all other Officers of superior Dignity to sacrifice, and confining to such of them as were Christians the Honours due to their Characters and Stations; hereby endeavouring to support the Kingdom of Christ, which is not of this World, by Motives purely worldly, *viz.* the Prospects of temporal Preferments and Honours; and notwithstanding the excellent Law he had before published, That every one should have free Exercise of his own Religion, and worship such Gods as they thought proper, he soon after prohibited the old Religion, *viz.* the Worship of Idols in Cities and Country; commanding that no Statues of the Gods should be erected, nor any Sacrifices offered upon their Altars. And yet notwithstanding this Abridgment of the Liberty of Religion, he declares in his Letters afterwards, written to all the several Governors of his Provinces, that though he wished the Ceremonies of the Temples, and the Power of Darkness were wholly removed, he would force none, but that every one should have the Liberty of acting in Religion as he pleased.

De vit. Const. l. 2. c. 44.
Ibid. c. 45
Ibid. c. 56.

'Tis not to be wonder'd at, that the Persons who advised these Edicts to suppress the ancient Religion of the Heathens, should be against tolerating any other amongst themselves, who should presume to differ from them in any Articles of the Christian Religion they had espoused; because if erroneous and false Opinions in Religion, as such, are to be prohibited or punished by the Civil Power, there is equal Reason for persecuting a Christian, whose Belief is wrong, and whose Practice is erroneous, as for persecuting Persons of any other false Religion whatsoever; and the same Temper and Principles that lead to the latter, will also lead to and justify the former. And as the Civil Magistrate, under the Direction of his Priests, must always judge for himself what is Truth and Error in Religion, his Laws for supporting the one, and punishing the other, must always be in Consequence of this Judgment. And therefore if *Constantine* and his Bishops were right in prohibiting Heathenism by Civil Laws, because they believed it erroneous and false, *Dioclesian* and *Licinius*, and their Priests, were equally right in prohibiting Christianity by Civil Laws, because they believed it not only erroneous and false, but the highest Impiety and Blasphemy against their Gods, and even a Proof of Atheism it self. And

by the same Rule every Christian, that hath Power, is in the right to persecute his Christian Brother, whenever he believes him to be in the wrong. And in truth, they seem generally to have acted upon this Principle; for which Party soever of them could get uppermost was against all Toleration and Liberty for those who differed from them, and endeavoured by all Methods to oppress and destroy them.

The Sentiments of the Primitive Christians, at least for near three Centuries, in reference to the Deity of our Lord Jesus Christ, were, generally speaking, pretty uniform; nor do there appear to have been any publick Quarrels about this Article of the Christian Faith. Some few Persons indeed, differed (Euseb. E. H. l. 5. c. 28.) from the commonly received Opinion. One *Theodotus* a Tanner, under the Reign of *Commodus*, asserted Christ was a meer Man, and on this Account was excommunicated, with other of his Followers, by Pope *Victor*, who appears to have been very liberal in his Censures against others. *Artemon* propagated the same erroneous Opinion under *Severus*. *Beryllus* also, an *Arabian* Bishop (Ibid. l. 6. c. 33.) under *Gordian*, taught, That our Saviour had no proper personal Subsistence before his becoming Man, nor any proper Godhead of his own, but only the Father's Godhead residing in him; but afterwards alter'd his Opinion, being convinced of his Error by the Arguments of *Origen*. *Sabellius* also propagated (l. 7. c. 27, 28, 29.) much the same Doctrine, denying also the real Personality of the Holy Ghost. After him *Paulus Samosatenus*, Bishop of *Antioch*, and many of his Clergy, publickly avowed the same Principles concerning Christ, and were excommunicated by a large Council of Bishops. But though these Excommunications upon account of Differences in Opinion, prove that the Bishops had set up for Judges of the Faith, and assumed a Power and Dominion over the Consciences of others, yet as they had no civil Effects, and were not enforced by any penal Laws, they were not attended with any publick Confusions, to the open Reproach of the Christian Church.

But when once Christianity was settled by the Laws of the Empire, and the Bishops free to act as they pleased, without any fear of publick Enemies to disturb and oppress them, they fell into more shameful and violent Quarrels, upon account of their Differences concerning the Nature and Dignity of Christ. The Controversy first began between *Alexander* Bishop of *Alexandria*, and *Arius* (De vit. Const. l. 2. c. 61. Soc. E. H. l. 1. c. 6.) one of his Presbyters, and soon spread it self into other Churches, enflaming Bishops against Bishops, who out of a Pretence to support Divine Truth excited Tumults, and entertained irreconcilable Hatreds towards one another. These Divisions of the Prelates set the Christian People together by the Ears, as they happened to favour their different Leaders and Heads of Parties; and the Dispute was managed with such Violence, that it soon reached the whole Christian World, and gave Occasion to the Heathens in several Places to ridicule the Christian Religion upon their publick Theatres. How different were (Euseb. l. 6. c. 45.) the Tempers of the Bishops and Clergy of these Times from the excellent Spirit of *Dionysius* Bishop of *Alexandria*, in the Reign of *Decius*, who writing to *Novatus* upon account of the Disturbance he had raised in the Church of *Rome*, by the Severity of his Doctrine, in not admitting those who lapsed into Idolatry

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in Times of Persecution ever more to Communion, though they gave all the Marks of a true Repentance and Conversion, tells him, [a] *One ought to suffer any Thing in the World rather than divide the Church of God.*

Soc. E. H. l. 1. c. 5. The Occasion of the *Arian* Controversy was this. *Alexander* Bishop of *Alexandria* speaking in a very warm Manner concerning the Trinity before the Presbyters and Clergy of his Church, affirmed there was *an Unity in the Trinity*, and particularly that *the Son was Co-eternal and Consubstantial, and of the same Dignity with the Father.* *Arius*, one of his Presbyters, thought that the Bishop, by this Doctrine, was introducing the *Sabellian* Heresy, and therefore opposed him, arguing in this manner: [a] *If the Father begot the Son, he who was begotten must have a beginning of his Existence; and from hence, says he, 'tis manifest, that there was a Time when he was not; the necessary Consequence of which*
E. H. l. 1. c. 15. he affirmed was this, *That he had his Subsistence out of Things not existing.* *Sozomen* adds farther, that he asserted, [b] *That by virtue of his Free-will the Son was capable of Vice as well as Virtue; and that he was the mere Creature and Work of God.* The Bishop being greatly disturbed by these Expressions of *Arius*, upon account of the Novelty of them, and not able to bear such an Opposition from one of his Presbyters to his own Principles, commanded *Arius* to forbear the
ib. p. 72. Use of them, and to embrace the Doctrine of the Consubstantiality and Co-eternity of the Father and the Son. But *Arius* was not thus to be convinced, especially as a great Number of the Bishops and Clergy were of his Opinion, and supported him; and for this Reason himself and the Clergy of his Party were excommunicated, and expelled the Church, in a Council of near an Hundred of the *Egyptian* and *Lybian* Bishops met together for that purpose, by the Bishop, who in this case was both Party and Judge, the Enemy and Condemner of *Arius.* Upon this Treatment *Arius* and his Friends sent circular Letters to the several Bishops of the Church, giving them an Account of their Faith, and desiring that if they found their Sentiments orthodox, they would write to *Alexander* in their Favour; if they judged them wrong, they would give them Instructions how to believe. Thus was the Dispute carried into the Christian Church, and the Bishops being divided in their Opinions, some of them wrote to *Alexander* not to admit *Arius* and his Party into Communion without renouncing their Principles, whilst others of them perswaded him to act a different part. The Bishop not only followed the Advice of the former, but wrote Letters to the several Bishops not to communicate with any of them, nor to receive them if
Soc. E. H. l. 1. c. 6. they should come to them, nor to credit *Eusebius*, nor any other Person that should write to them in their behalf, but to avoid them as the Enemies of God, and the Corrupters of the Souls of Men; and not so much as to salute them, or
Soz. l. 1. c. 15. to have any Communion with them in their Crimes. *Eusebius*, who was Bishop of *Nicomedia*, sent several Letters to *Alexander*, exhorting him to let the Controversy peaceably drop, and to receive *Arius* into Communion; but finding

[a] Εδει μεν γαρ και παν οτιουν παθειν, υπερ του μη διακοψαι την εκκλησιαν του Θεου.

[a] Ει ο πατηρ εγεννησε τον υιον, αρχην υπαρξεως εχει ο γεννηθεις. Και εκ τουτου δηλον, οτι ην οτε ουκ ην ο υιος· ακολουθει τε εξ αναγκης εξ ουκ οντων εχειν αυτον την υποστασιν.

[b] Και αυτεξουσιοτητι κακιας και αρετης δεκτικον υπαρχειν, και κτισμα και ποιημα, και αλλα πολλα.

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him inflexible to all his repeated Entreaties, he got a Synod to meet in *Bithynia*, from whence they wrote Letters to the other Bishops, to engage them to receive the *Arians* to their Communion, and to persuade *Alexander* to do the same. But all their Endeavours proved ineffectual, and by these unfriendly Dealings the Parties grew more enraged against each other, and the Quarrel became incurable.

'Tis, I confess, not a little surprizing, that the whole Christian World should be put into such a Flame upon account of a Dispute of so very abstruse and metaphysical a Nature, as this really was in the Course and Management of it. *Alexander*'s Doctrine, as *Arius* represents it in his Letter to *Eusebius* of *Nicomedia*, was this, [c] *God is always, and the Son always. The same Time the Father, the same Time the Son. The Son co-exists with God unbegottenly, being ever begotten, being unbegottenly begotten. That God was not before the Son, no not in Conception, or the least Point of Time, he being ever God, ever a Son. For the Son is out of God himself.* Nothing could be more inexcusable, than the tearing the Churches in pieces upon account of such high and subtle Points as these, except the Conduct of *Arius*, who on the other hand asserted, as *Alexander*, his Bishop, in his Letter to the Bishop of *Constantinople*, tells us, [d] *That there was a Time when there was no Son of God, and that he who before was not, afterwards existed, being made, whensoever he was made, just as any Man whatsoever, and that therefore he was of a mutable Nature, and equally receptive of Vice and Virtue, and other Things of the like kind.* If these were the Things taught, and publickly avowed by *Alexander* and *Arius*, as each represents the other's Principles, I perswade my self, that every sober Man will think they both deserved Censure, for thus leaving the plain Account of Scripture, introducing Terms of their own Invention into a Doctrine of pure Revelation, and at last censuring and writing one against another, and dividing the whole Church of Christ upon account of them.

Theod. E. H. l. 1. c. 5.

Id. l. 1. c. 4.

But 'tis no uncommon Thing for warm Disputants to mistake and misrepresent each other; and that this was the Case in the present Controversy, is, I think, evident beyond Dispute; *Alexander* and *Arius* describing each other's Opinions, not as they held them themselves, but according to the Consequences each imagined to follow from them. Thus *Alexander* affirms in the aforementioned Letter, that *the Father ever was*, and thence infers what he thinks necessarily follows, that *the Son*, upon whose account he is called a Father, *must have ever been*, and yet expresly asserts the Son to be begotten, and that the Father alone is unbegotten. When *Arius* represents these Things to his Friend *Eusebius*, 'tis according to what he accounted the necessary Consequences of them, and not as they were really maintained by *Alexander*; and because

[c] Αει ο Θεος, αει ο υιος· αμα πατηρ, αμα υιος. συνυπαρχει αγεννητως ο υιος τω Θεω, αειγεννης εστιν, αγεννητογενης εστιν· ουτε επινοια ουτε ατομω τινι προαγει ο Θεος του υιου. αει Θεος, αει υιος. εξ αυτου εστι του Θεου ο υιος.

[d] Ην ποτε οτε ουκ ην ο υιος του Θεου, και γεγονεν υστερον ο προτερον μη υπαρχων, τοιουτος γενομενος, οτε και ποτε γεγονεν, οιος και πας ειναι πεφυκεν ανθρωπος· οις ακολουθως και φασιν αυτον τρεπτης ειναι φυσεως, αρετης τε και κακιας επιδεκτικον.

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he apprehended that the absolute Co-eternity of the Son with the Father was inconsistent with the Son's being begotten of him, he says that *Alexander* held he was *unbegottenly begotten*, or begotten and not begotten, thus making his own Consequences pass for the Bishop's Sentiments. On the other hand, *Arius* asserted, *The Son hath a beginning, and is from none of the Things that do exist*; not meaning that he was not from Everlasting, before ever the Creation had a Being, or that he was created like other Beings absolutely out of nothing, or that like the rest of the Creation he was mutable in his Nature. *Arius* expresly declares the contrary in his Letter to *Eusebius*, his intimate Friend, from whom Theod. E. H. l. 1. c. 5. he had no reason to conceal his most secret Sentiments, and says, [e] *This is what we have and do profess, That the Son is not unbegotten, nor in any manner a part of the unbegotten God, nor from any part of the material World, but that by the Will and Council of the Father he existed before all Times and Ages, perfect God, the only begotten and unchangeable, and that therefore before he was begotten or formed he was not*, i. e. as he explains himself, [f] *There never was a Time when he was unbegotten.* His affirming therefore that the Son had a Beginning, was only saying, that he was in the whole of his Existence from the Father, as the Origin and Fountain of his Being and Deity, and not any Denial of his being from before all Times and Ages; and his saying that he was no part of God, nor derived from Things that do exist, was not denying his Generation from God before all Ages, or his being compleatly God himself, or his being produced after a more excellent Manner than the Creatures, but that as he was always from God, so he was different both from him, and all other Beings, and a Sort of middle Nature between God and his Creatures; whose beginning, as *Eusebius* of *Ni-* Id. Ibid. c. 6. *comedia* writes to *Paulinus* Bishop of *Tyre*, was [g] *not only inexplicable by Words, but unconceivable by the Understanding of Men, and by all other Beings superior to Men, and who was formed after the most perfect Likeness to the Nature and Power of God.* This is the strongest Evidence that neither *Arius* nor his first Friends put the Son upon a Level with the Creatures, but that they were in many respects of the same Sentiments with those who condemned them. Thus *Alexander* declares the Son to be [h] *before all Ages. Arius* expresly says the same, that he was [i] *before all Times and Ages. Alexander* says, the *Father only is unbegotten. Arius, That there never was a Time when the Son was not begotten. Alexander*, that *the Subsistence of the Son is inexplicable even by Angels. Eusebius*, that *his beginning is inconceivable and inexplicable by Men and Angels. Alexander*, that *the Father was always a Father because of the Son. Arius*, that the Son was not before he was begotten, *i. e. That he was from before all Ages the begotten Son of God.*

[e] Οτι ο υἱος ουκ εστιν αγεννητος, ουδε μερος αγεννητου κατ' ουδενα τροπον, ουδε εξ υποκειμενου τινος. αλλ' οτι θεληματι και βουλη υπεστη προ χρονων και προ αιωνων, πληρης Θεος, μονογενης, αναλλοιωτος και πριν γεννηθη——ουκ ην.

[f] Αγεννητος γαρ ουκ ην.

[g] Προς τελειαν ομοιοτητα διαθεσεως τε και δυναμεως του πεποιηκοτος γεγονομενον· ου την αρχην ου λογω μονον αδιηγητον, αλλα και εννοια ουκ ανθρωπων μονον αλλα και των υπερ ανθρωπους παντων ειναι ακαταληπτον πεπιστευκαμεν.

[h] Προαιωνιος.

[i] Προ χρονων και προ αιωνων.

Arius

Arius again, [k] *That the Son was no part of God, nor from any Things that did exist.* Theod.
Alexander, That *the only begotten Nature was* [l] *a middle Nature, between the unbegotten Father, and the Things created by him out of nothing.* E. H. l. 1. c. 4. And yet notwithstanding all these Things, when *Alexander* gives an Account of the Principles of *Arius* to the Bishops, he represents them in all the Consequences he thought fit to draw from them, and charges him with holding, that the Son was made like every other Creature absolutely out of nothing, and that therefore his Nature was mutable, and susceptive equally of Virtue and Vice; with many other invidious and unscriptural Doctrines, which *Arius* plainly appears not to have maintained or taught.

But as 'tis the common Fate of religious Disputes to be managed with an intemperate Heat, 'tis no wonder the Disputants should mistake each other, or in their Warmth charge one another with Consequences which either they do not see, or expresly deny. Whilst this is the Case the Controversy can never be fairly managed, nor brought to a friendly and peaceable Issue. Many Methods were tried, but all in vain, to bring *Alexander* and *Arius* to a Reconciliation, the Emperor himself condescending to become a Mediator between them.

The first Step he took to heal this Breach was right and prudent: He sent Euseb. Vit.
his Letters to *Alexandria*, exhorting *Alexander* and *Arius* to lay aside their Dif- Const. l. 1.
ferences, and become reconciled to each other. He tells them, That *after he* c. 63, &c.
had diligently examined the Rise and Progress of this Affair, he found the Occasion of the Difference to be very trifling, and not worthy such furious Contentions; and that therefore he promised himself that his Mediation between them for Peace would have the desired Effect. He tells *Alexander*, *That he required from his Presbyters a Declaration of their Sentiments concerning a silly, empty Question.* And *Arius*, *That he had imprudently uttered what he should not have even thought of, or what at least he ought to have kept secret in his own Breast; and that therefore Questions about such Things should not have been asked; or if they had, should not have been answered; that they proceeded from an idle Itch of Disputation, and were in themselves of so high and difficult a Nature, as that they could not be exactly comprehended, or suitably explained*; and that to insist on such Points too much before the People, could produce no other Effect, than to make some of them talk Blasphemy, and others turn Schismaticks; and that therefore *as they did not contend about any essential Doctrine of the Gospel, nor introduce any new Heresy concerning the Worship of God*, they should again communicate with each other; and finally, that notwithstanding their Sentiments in these unnecessary and trifling Matters were different from each other, they should acknowledge one another as Brethren, and, laying aside their Hatreds, return to a firmer Friendship and Affection than before.

But religious Hatreds are not so easily removed, and the Ecclesiastical Combatants were too warmly engaged to follow this kind and wholesome Ad-

[k] Οτι ου μερος Θεου εστιν, ουδε εξ υποκειμενου τινος.
[l] Μεσιτευουσα πατρος αγεννητου και των κτισθεντων υπ' αυτου εξ ουκ οντων.

Eufeb. Vit.Conft. l. 3. c. 4, 5. vice. The Bifhops of each fide had already interefted the People in their Quarrel, and heated them into fuch a Rage that they attacked and fought with, wounded and deftroyed each other, and acted with fuch Madnefs as to commit the greateft Impieties for the fake of Orthodoxy; and arrived to that pitch of Infolence, as to offer great Indignities to the imperial Images. The old Controverfy about the Time of celebrating *Eafter* being now revived, added Fuel to the Flames, and render'd their Animofities too furious to be appeafed.

The firft general Council, A. C. 325. Id. Ibid. c. 6. Soz. E. H. l. 1. c. 17. *Conftantine* being greatly difturbed upon this Account, fent Letters to the Bifhops of the feveral Provinces of the Empire to affemble together at *Nice* in *Bythinia*, and accordingly great Numbers of them came, *A. C.* 325. fome through hopes of Profit, and others out of Curiofity to fee fuch a Miracle of an Emperor, and many of them, as *Sozomen* informs us, to negotiate their own private Affairs, and to redrefs their Grievances, by accufing thofe who had injured them. The Number of them was three Hundred and eighteen, befides vaft Numbers of Prefbyters, Deacons, Acolythifts, and others. The Ecclefiaftical Hiftorians tell us, that in this vaft Collection of Bifhops fome were remarkable for their Gravity, Patience under Sufferings, Modefty, Integrity, Eloquence, and the like Virtues; but yet they all agree that there were others of very different Characters. *Eufebius* tells us, fome came to the Council with worldly Views of Gain; and *Theodorit*, that others were fubtle and crafty, and of a quarrelling, malicious Temper, and actuated with a Spirit of Revenge. And indeed, this appeared immediately upon opening the Council; for after the Emperor, who honoured this Affembly with his Prefence, had exhorted them to lay afide all their Differences, and to enter into Meafures of Union and Peace, inftead of applying themfelves to the Work for which they were convened, they began fhamefully to accufe each other before him, and raifed great Difturbances in the Council by their mutual Charges and Reproaches. *Sabinus*, alfo, faith they were generally a Set of very ignorant Men, and deftitute of Knowledge and Learning. But as *Sabinus* was an Heretick of the *Macedonian* Sect, probably his Teftimony may be thought exceptionable; and even fuppofing his Charge to be true, yet *Socrates* brings them off by telling us, that they were enlighten'd by God, and the Grace of his Holy Spirit, and fo could not poffibly err from the Truth. But as fome Men may poffibly queftion the Truth of their Infpiration, fo I think it appears but too plain, that an Affembly of Men, who met together with fuch different Views, were fo greatly prejudiced and inflamed againft each other, and are allowed, many of them, to be ignorant, till they received miraculous Illuminations from God, did not feem very likely to heal the Differences of the Church, or to examine with that Wifdom, Care and Impartiality, or to enter into thofe Meafures of Condefcenfion and Forbearance that were neceffary to lay a folid Foundation for Peace and Unity.

Theod. E. H. l. 1. c. 7, 11.

Soc. E. H. l. 1. c. 9.

However, the Emperor brought them at laft to fome Temper, fo that they fell in good earneft to Creed-making, and drew up, and fubfcribed that, which from the Place where they were affembled was called the *Nicene*. By the Ac-

counts of the Transactions in this Assembly, given by *Athanasius* himself, in his Letter to the *African* Bishops, it appears, that they were determined to insert into the Creed such Words as were most obnoxious to the Arians, and thus to force them to a publick Separation from the Church. For when they resolved to condemn some Expressions which the Arians were charged with making use of, such as, *The Son was a Creature*; *there was a Time when he was not*, and the like; and to establish the Use of others in their room, such as, *The Son was the only begotten of God by Nature*, *the Word*, *the Power*, *the only Wisdom of the Father*, *and true God*; the Arians immediately agreed to it: Upon this the Fathers made an Alteration, and explained the Words, *From God*, by the Son's *being of the Substance of God*. And when the Arians consented also to this, the Bishops farther added, to render the Creed more exceptionable, that *he was Consubstantial, or of the same Substance with the Father*. And when the Arians objected, that this Expression was wholly unscriptural, the Orthodox urged, that though it was so, yet the Bishops that lived an Hundred and thirty Years before them, made use of it. At last however all the Council subscribed the Creed thus altered and amended, except five Bishops, who were displeased with the Word *Consubstantial*, and made many Objections against it. Theod. E. H. l. 1. c. 8.

Eusebius, Bishop of *Cæsarea*, was also in doubt for a considerable Time, whether he should set his Hand to it, and refused to do it, till the exceptionable Words had been fully debated amongst them, and he had obtained an Explication of them suitable to his own Sentiments. Thus when 'twas asserted by the Creed, that *the Son was of the Father's Substance*, the negative Explication agreed to by the Bishops was exactly the same Thing that was asserted by *Arius*, viz. that [m] *He was not a part of the Father's Substance*. Again, as the Words, *begotten*, *not made*, were applied to the Son, they determined the Meaning to be, that *the Son was produced after a different Manner than the Creatures which he made*, and was therefore of a more excellent Nature than any of the Creatures, and that the Manner of his Generation could not be understood. This was the very Doctrine of *Arius*, and *Eusebius* of *Nicomedia*, who declar'd, that *as the Son was no part of God, so neither was he from any Thing created, and that the Manner of his Generation was not to be described*. And as to the Word *Consubstantial* to the Father, it was agreed by the Council to mean no more, than that *the Son had no Likeness with any created Beings, but was in all Things like to him that begot him, and that he was not from any other Hypostasis or Substance but the Father's*. Of this Sentiment also were *Arius*, and *Eusebius* his Friend, who maintained not only his being of a more excellent Original than the Creatures, but that he was formed *of an immutable and ineffable Substance and Nature, and after the most perfect Likeness of the Nature and Power of him that formed him*. These were the Explications of these Terms agreed to by the Council, upon which *Eusebius* of *Cæsarea* subscribed them in the Creed; and though some few of the Arian Bishops refused to do it, yet it doth not appear to me, that it proceeded from their not agreeing in the Sense of these Explications, but because they apprehended that Theod. l. 1. c. 12.

[m] Μέρος τῆς οὐσίας αὐτοῦ.

the Words were very improper, and implied a great deal more than was pretended to be meant by them; and especially because an Anathema was added upon all who should presume not to believe in them and use them. *Eusebius* of *Cæsarea* gives a very extraordinary Reason for his subscribing this Anathema, *viz.* because *it forbids the Use of unscriptural Words, the introducing which he* assigns *as the Occasion of all the Differences and Disturbances which had troubled the Church.* But had he been consistent with himself, he ought never to have subscribed this Creed, for the very Reason he alledges why he did it; because the Anathema forbids only the unscriptural Words of *Arius*, such as, *He was made out of nothing*; *there was a Time when he was not*, and the like; but allowed and made sacred the unscriptural Expressions of the Orthodox, *viz. Of the Father's Substance*, and *Consubstantial*, and cut off from Christian Communion those who would not agree to them, though they were highly exceptionable to the Arian Party, and afterwards proved the Occasions of many cruel Persecutions and Evils.

In this publick Manner did the Bishops assert a Dominion over the Faith and Consciences of others, and assume a Power, not only to dictate to them what they should believe, but even to anathematize, and expel from the Christian Church, all who refused to submit to their Decisions, and own their Authority. For after they had carried their Creed, they proceeded to excommunicate *Arius* and his Followers, and banished *Arius* from *Alexandria*. They also condemned his Explication of his own Doctrine, and a certain Book, called *Thalia*, which he had written concerning it. After this they sent Letters to *Alexandria*, and to the Brethren in *Egypt*, *Lybia*, and *Pentapolis*, to acquaint them with their Decrees, and to inform them, that the Holy Synod had condemned the Opinions of *Arius*, and were so zealous in this Affair, that they had not patience so much as to hear his ungodly Doctrine and blasphemous Words, and that they had fully determined the Time for the Celebration of *Easter*. Finally, they exhort them to rejoice for the good Deeds they had done, and for that they had cut off all manner of Heresy, and to pray that their right Transactions might be established by Almighty God and our Lord Jesus Christ. When these Things were over, *Constantine* splendidly treated the Bishops, filled their Pockets, and sent them honourably home; advising them at parting to maintain Peace amongst themselves, and that none of them should envy another who might excel the rest in Wisdom and Eloquence, and that such should not carry themselves haughtily towards their Inferiors, but condescend to, and bear with their Weakness. A plain Demonstration that he saw into their Tempers, and was no Stranger to the Pride and Haughtiness that influenced some, and the Envy and Hatred that actuated others. After he had thus dismissed them he sent several Letters, recommending and enjoyning an universal Conformity to the Councils Decrees both in Ceremony and Doctrine, using, among other Things, this Argument for it, *That what they had decreed was the Will of God, and that the Agreement of so great a Number of such Bishops was by Inspiration of the Holy Ghost.*

Soc. l. 1. c. 9.

Euseb. de Vit. Const. l. 3. c. 20.

Soc. E. H. l. 1. c. 9.

'Tis

'Tis natural here to observe, that the Anathema's and Depositions agreed on by this Council, and confirmed by the imperial Authority, were the beginning of all the Persecutions that afterwards raged against each Party in their Turns. As the Civil Power had now taken part in the Controversies about Religion, by authorising the Dominion of the Bishops over the Consciences of others, enforcing their Ecclesiastical Constitutions, and commanding the universal Reception of that Faith they had decreed to be Orthodox, it was easy to foresee that those who opposed them would employ the same Arts and Authority to establish their own Faith and Power, and to oppress their Enemies, the first favourable Opportunity that presented: And this the Event abundantly made good. And indeed how should it be otherwise? For Doctrines that are determined merely by dint of Numbers, and the Awes of worldly Power, carry no manner of Conviction in them, and are not likely therefore to be believed on these Accounts by those who have once opposed them. And as such Methods of deciding Controversies equally suit all Principles, the introducing them by any Party gives but too plausible a Pretence to every Party, when uppermost, to use them in its turn; and though they may agree well enough with the Views of spiritual Ambition, yet they can be of no Service in the World to the Interest of true Religion, because they are directly contrary to the Nature and Spirit of it; and because Arguments, which equally prove the Truth and Excellency of all Principles, cannot in the least prove the Truth of any.

If one may form a Judgment of the Persons who composed this Council, from the small Accounts we have left of them, they do not, I think, appear to have met so much with a Design impartially to debate on the Subjects in Controversy, as to establish their own Authority and Opinions, and oppress their Enemies. For besides what hath been already observed concerning their Temper and Qualifications, *Theodorit* informs us, that when those of the Arian Party proposed in writing to the Synod the Form of Faith they had drawn up, the Bishops of the Orthodox side no sooner read it but they gravely tore it in pieces, and called it a spurious and false Confession; and after they had filled the Place with Noise and Confusion, universally accused them of betraying the Doctrine according to Godliness. Doth such a Method of Proceeding suit very well with the Character of a Synod inspired, as the good Emperor declared, by the Holy Ghost? Is Truth and Error to be decided by Noise and Tumult? Was this the Way to convince Gainsayers, and reconcile them to the Unity of the Faith? Or could it be imagined, that the dissatisfied Part of this venerable Assembly would acquiesce in the tyrannical Determination of such a Majority, and patiently submit to Excommunication, Deposition, and the Condemnation of their Opinions, almost unheard, and altogether unexamin'd? How justly doth the Censure passed by *Gregory Nazianzen* upon the Councils that were held in his Time agree to this famous one of *Nice*? *If*, says he, *I must speak the Truth, this is my Resolution, to avoid all Councils of the Bishops, for I have not seen any good End answered by any Synod whatsoever; for their love of Contention, and their lust of Power, are too great even for Words to express.* The Emperor's Conduct to the Bishops met at *Nice*, is full Proof of the former; for when they were met in Council they imme-

E. H. l. 1. c. 7.

Vol. I. Epist. lv. Edit. Col.

Euseb. de Vit. Const. l. 3. c. 13.

immediately fell to wrangling and quarrelling, and were not to be appeaſed and brought to Temper, till *Conſtantine* interpoſed, artfully perſuading ſome, ſhaming others into ſilence, and heaping Commendations on thoſe Fathers that ſpoke agreeable to his Sentiments. The Deciſions they made concerning the Faith, and their Excommunications and Depoſitions of thoſe who differed from them, demonſtrate alſo their affectation of Power and Dominion. But as they had great Reaſon to believe, that their own Decrees would be wholly inſignificant without the Interpoſition of the imperial Authority to enforce them, they ſoon obtained their Deſires, the Emperor readily confirming all they had determined, and injoining all Chriſtians to ſubmit themſelves to them.

Euſeb. de Vit. Conſt. c. 65. His firſt Letters to this purpoſe were mild and gentle: But he was ſoon perſuaded into more violent Meaſures; for out of his great Zeal to extinguiſh Hereſy, he put forth publick Edicts againſt the Authors and Maintainers of it; and particularly againſt the *Novatians*, *Valentinians*, *Marcioniſts*, and others, whom after reproaching *with being Enemies of Truth, deſtructive Counſellors, and with holding Opinions ſuitable to their Crimes*, he deprives of the Liberty of meeting together for Worſhip, either in publick or private Places, and gives all their Oratories to the Orthodox Church. And with reſpect to the Arians, he baniſhed *Arius* himſelf, ordered all his Followers, as abſolute Enemies of Chriſt, to be called *Porphyrians*, from *Porphyrius* an Heathen who wrote againſt Chriſtianity; ordained that the Books written by them ſhould be burnt, that there might be no Remains of their Doctrine left to Poſterity, and moſt cruelly commanded, that if ever any one ſhould dare to keep in his Poſſeſſion any Book written by *Arius*, and ſhould not immediately burn it, he ſhould be no ſooner convicted of the Crime but he ſhould ſuffer Death. (Soz. l. 1. c. 21. Soc. l. 1. c. 9.)

Thus the Orthodox firſt brought in the Puniſhment of Hereſy with Death, and perſuaded the Emperor to deſtroy thoſe whom they could not eaſily convert. The Scriptures were now no longer the Rule and Standard of the Chriſtian Faith. Orthodoxy and Hereſy were from hence forward to be determined by the Deciſions of Councils and Fathers, and Religion to be propagated no longer by the apoſtolick Methods of Perſuaſion, Forbearance, and the Virtues of an holy Life, but by imperial Edicts and Decrees; and heretical Gainſayers not to be convinced, that they might be brought to the Acknowledgment of the Truth and be ſaved, but to be perſecuted and deſtroyed. 'Tis no wonder, that after this there ſhould be a continual Fluctuation of the publick Faith, juſt as the prevailing Parties had the imperial Authority to ſupport them, or that we ſhould meet with little elſe in Eccleſiaſtical Hiſtory but Violence and Cruelties committed by Men who had left the Simplicity of the Chriſtian Faith and Profeſſion, enſlaved themſelves to Ambition and Avarice, and had before them the enſnaring Views of temporal Grandure, high Preferments, and large Revenues. [n] *Since the Time that Avarice hath encreaſed in the Churches*, ſays St. (Epiſt. xiii.)

[n] Nunc autem ex quo in Eccleſiis crevit Avaritia, periit Lex de Sacerdote, & Viſio de Propheta. Singuli quiq; pro Potentia Epiſcopalis nominis, quam ſibi ipſi illicite abſq; Eccleſia vendicaverunt, totum quod Levitarum eſt in Uſus ſuos redigunt——Moriuntur Fame qui alios ſepelire mandantur. Poſcunt

St. *Jerom, the Law of the Priest, and the Vision of the Prophet hath failed. Whilst all contend for the Episcopal Power, which they unlawfully seize on without the Church's leave; they apply to their own Uses all that belongs to the* Levites. *The miserable Priest begs in the Streets——They die with Hunger who are commanded to bury others. They ask for Pity who are commanded to pity others——The Priests only care is to get Money——Hence Hatreds arise through the Avarice of the Priests; hence the Bishops are accused by their Clergy; hence the Quarrels of the Prelates; hence the Causes of Desolations; hence the Rise of their Wickedness.* Religion and Christianity seem indeed to be the least Thing that either the contending Parties had at heart, by the infamous Methods they took to establish themselves and ruin their Adversaries.

If one reads the Complaints of the Orthodox Writers against the Arians, one would think the Arians the most execrable Set of Men that ever lived, they being loaded with all the Crimes that can possibly be committed, and represented as bad, or even worse, than the Devil himself. But no wise Man will easily credit these Accounts, which the Orthodox give of their Enemies, because, as *Socrates* tells us, *This was the Practice of the Bishops towards all they deposed, to accuse and pronounce them impious, but not to tell others the Reasons why they accused them as such.* 'Twas enough for their Purpose to expose them to the publick Odium, and make them appear impious to the Multitude, that so they might get them expelled from their rich Sees, and be translated to them in their room. And this they did as frequently as they could, to the introducing infinite Calamities and Confusions into the Christian Church. And if the Writings of the Arians had not been prudently destroyed, I doubt not but we should have found as many Charges laid by them, with equal Justice, against the Orthodox, as the Orthodox have produced against them; their very Suppression of the Arian Writings being a very strong Presumption against them, and the many imperial Edicts of *Constantine*, *Theodosius*, *Valentinian*, *Martian*, and others, against Hereticks, being an abundant Demonstration that they had a deep Share in the Guilt of Persecution.

E. H. l. 1. c. 24.

Alexander, Bishop of *Alexandria*, in his Letter to the Bishop of *Constantinople*, complains that *Arius* and others, desirous of Power and Riches, did Day and Night invent Calumnies, and were continually exciting Seditions and Persecutions against him; and *Arius* in his turn, in his Letter to *Eusebius* of *Nicomedia*, with too much Justice charges Pope *Alexander* with violently persecuting and oppressing him upon account of what he called the Truth, and using every Method to ruin him, driving him out of the City as an atheistical Person, for not agreeing with him in his Sentiments about the Trinity. *Athanasius* also bitterly exclaims against the Cruelty of the Arians, in his Apology for his flight. *Whom have they not*, says he, *used with the greatest Indignity, that they have been able to lay hold of? Who hath ever fallen into their Hands, that they have had any*

Theod. l. 1. c. 4, 5.

Vol. I. p. 702.

Poscunt misericordiam, qui misereri aliis sunt precepti——Solus incubat Divitiis——Hinc propter Sacerdotum Avaritiam Odia consurgunt, hinc Episcopi accusantur a Clericis, hinc Principum Lites, hinc Desolationum Causæ, hinc Origo Criminis.

Arians have neither Sense nor Learning; Water land's Def. to Serm. 16.

ſpite againſt, whom they have not ſo cruelly treated, as either to murther or to maim him? What Place is there where they have not left the Monuments of their Barbarity? What Church is there which doth not lament their Treachery againſt their Biſhops? After this paſſionate Exclamation he mentions ſeveral Biſhops they had baniſhed or put to Death, and the Cruelties they made uſe of to force the Orthodox to renounce the Faith, and to ſubſcribe to the Truth of the Arian Doctrines. But might it not have been aſked, Who was it that firſt brought in Excommunications, Depoſitions, Baniſhments, and Death, as the Puniſhments of Hereſy? Could not the Arians recriminate with Juſtice? Were they not reproached as Atheiſts, anathematized, expelled their Churches, exiled, and made liable to the Puniſhment of Death by the Orthodox? Did not even they who complained of the Cruelty of the Arians in the moſt moving Terms, create numberleſs Confuſions and Slaughters by their violent Intruſions into the
Soz. l. 1. c. 22. Sees of their Adverſaries? Was not *Athanaſius* himſelf alſo accuſed to the Emperor, by many Biſhops and Clergymen, who declared themſelves Orthodox, of being the Author of all the Seditions and Diſturbances in the Church, by excluding great Multitudes from the publick Services of it; of murthering ſome, putting others in Chains, puniſhing others with Stripes and Whippings,
Philoſtorg. Compen. E. H. l. 8. c. 11. and of burning Churches? And if the Enemies of *Athanaſius* endeavoured to ruin him by ſuborned Witneſſes and falſe Accuſations, *Athanaſius* himſelf uſed the ſame Practices to deſtroy his Adverſaries, and particularly *Euſebius* of *Nicomedia*, by ſpiriting up a Woman to charge *Euſebius* with getting her with Child, the Falſhood of which was detected at the Council of *Tyre*. His very Ordination alſo to the Biſhop of *Alexandria*, was cenſured as clandeſtine and
Soz. l. 2. c. 25, 28. illegal. Theſe Things being reported to *Conſtantine*, he ordered a Synod to meet at *Cæſarea* in *Paleſtine*, of which Place *Euſebius Pamphilus* was Biſhop, before whom *Athanaſius* refuſed to appear. But after the Council was removed to *Tyre* he was obliged by force to come thither, and commanded to anſwer to the ſeveral Crimes objected againſt him. Some of them he cleared himſelf of, and as to others he deſired more Time for his Vindication. At length, after many Seſſions, both his Accuſers, and the Multitude who were preſent in the Council, demanded his Depoſition as an Impoſtor, a violent Man, and unworthy the Prieſthood. Upon this *Athanaſius* fled from the Synod, after which they condemned him, and deprived him of his Biſhoprick, and ordered he ſhould never more enter *Alexandria*, to prevent his exciting Tumults and Seditions. They alſo wrote to all the Biſhops to have no Communion with him, as one convicted of many Crimes, and as having convicted himſelf by his flight of many others, to which he had not anſwered. And for this their Procedure they aſſigned theſe Reaſons, that he deſpiſed the Emperor's Orders, by not coming to *Cæſarea*; that he came with a great Number of Perſons to *Tyre*, and excited Tumults and Diſturbances in the Council, ſometimes refuſing to anſwer to the Crimes objected againſt him, at other Times reviling all the Biſhops; ſometimes not obeying their Summons, and at others refuſing to ſubmit to their Judgment; that he was fully and evidently convicted of breaking in pieces the ſacred Cup, by ſix Biſhops who had been ſent into *Egypt* to

inquire out the Truth. *Athanasius*, however, appealed to *Constantine*, and gave him such a Representation of the Council's Transactions as greatly offended him. But when *Eusebius* and others laid the whole Matter before him, the Emperor entirely altered his Sentiments, confirmed his Deposition, and banished him into *France*.

Indeed *Athanasius*, notwithstanding his sad Complaints under Persecution, and his expresly calling it a diabolical Invention, yet seems to be against it only when he and his own Party were persecuted, but not against persecuting the Enemies of Orthodoxy. In his Letter to *Epictetus*, Bishop of *Corinth*, he saith, *I wonder that your Piety hath born these Things* (*viz.* the Heresies he had before-mentioned) *and that you did not immediately put those Hereticks under Restraint, and propose the true Faith to them; that if they would not forbear to contradict they might be declared Hereticks; for 'tis not to be endured that these Things should be either said or heard amongst Christians.* And in another Place he says, *that they ought to be had in universal Hatred for opposing the Truth*; and comforts himself, that the Emperor, upon due Information, would put a Stop to their Wickedness, and that they would not be long liv'd. And to mention no more, *I therefore exhort you*, says he, *let no one be deceived, but as though the* Jewish *Impiety was prevailing over the Faith of Christ, be ye all zealous in the Lord. And let every one hold fast the Faith he hath received from the Fathers, which also the Fathers met together at* Nice *declared in Writing, and endure none of those who may attempt to make any Innovations therein.* 'Tis needless to produce more Instances of this kind; whosoever gives himself the Trouble of looking over any of the Writings of this Father, will find in them the most furious Invectives against the *Arians*, and that he studiously endeavours to represent them in such Colours, as might render them the Abhorrence of Mankind, and excite the World to their utter Extirpation.

Ad Imp. Const. Apol. p. 716. Vol. I. p. 584. Orat. 1. cont. Ar. p. 304. Vol. I. p. 291. P. 292.

I write not these Things out of any Aversion to the Memory, or peculiar Principles of *Athanasius*; whether I agree with him, or differ from him in Opinion, I think my self equally obliged to give impartially the true Account of him. And as this which I have given of him is drawn partly from History, and partly from his own Writings, I think I cannot be justly charged with misrepresenting him. To speak plainly, I think that *Athanasius* was a Man of an haughty and inflexible Temper, and more concerned for Victory and Power than for Truth, Religion or Peace. The Word *Consubstantial* that was inserted into the *Nicene* Creed, and the Anathema denounced against all who would or could not believe in it, furnished Matter for endless Debates. Those who were against it censured as Blasphemers those who used it; and as denying the proper Subsistence of the Son, and as falling into the Sabellian Heresy. The Consubstantialists on the other side reproached their Adversaries as Heathens, and with bringing in the Polytheism of the Gentiles. And though they equally denied the Consequences which their respective Principles were charged with, yet as the Orthodox would not part with the Word *Consubstantial*, and the Arians could not agree to the Use of it, they continued their unchristian Reproaches and Accusations of each other. *Athanasius* would yield to no Terms

Soz. l. 2. c. 18.

of Peace, nor receive any into Communion, who would not absolutely submit to the Decisions of the Fathers of *Nice*. In his Letter to *Johannes* and *Antiochus* he exhorts them to hold fast the Confession of those Fathers, and *to reject all who should speak more or less than was contained in it*. And in his first Oration against the Arians he declares in plain Terms, "That the expressing "a Person's Sentiments in the Words of Scripture was no sufficient Proof of "Orthodoxy, because the Devil himself used Scripture Words to cover his "wicked Designs upon our Saviour; and even farther, that Hereticks were "not to be received, though they made use of the very Expressions of Or-"thodoxy it self." With one of so suspicious and jealous a Nature there could scarce be any possible Terms of Peace, it being extremely unlikely, that without some kind Allowances, and mutual Abatements, so wide a Breach could ever be compromised. Even the Attempts of *Constantine* himself to soften *Athanasius*, and reconcile him to his Brethren, had no other Influence upon him, than to render him more imperious and obstinate; for after *Arius* had given in such a Confession of his Faith as satisfied the Emperor, and expresly denied many of the Principles he had been charged with, and thereupon humbly desired the Emperor's Interposition, that he might be restored to the Communion of the Church; *Athanasius*, out of Hatred to his Enemy, flatly denied the Emperor's Request, and told him, that 'twas impossible for those who had once rejected the Faith, and were anathematized, ever to be wholly restored. This so provoked the Emperor, that he threaten'd to depose and banish him, unless he submitted to his Order; which he shortly after did, by sending him into *France*, upon an Accusation of several Bishops, who, as *Socrates* intimates, were worthy of Credit, That he had said he would stop the Corn that was yearly sent to *Constantinople* from the City of *Alexandria*. To such an Height of Pride was this Bishop now arrived, as even to threaten the Sequestration of the Revenues of the Empire. *Constantine* also apprehended, that this Step was necessary to the Peace of the Church, because *Athanasius* absolutely refused to communicate with *Arius* and his Followers.

Vol. I. p. 951. — p. 291. — Soc. l. 1. c. 27. — Id. Ibid. c. 35.

Soon after these Transactions *Arius* died, and the Manner of his Death, as it was reported by the Orthodox, *Athanasius* thinks of it self sufficient fully to condemn the Arian Heresy, and an evident Proof that it was hateful to God. Nor did *Constantine* himself long survive him; he was succeeded by his three Sons, *Constantine*, *Constantius*, and *Constans*. *Constantine* the eldest recalled *Athanasius* from Banishment, and restored him to his Bishoprick, upon which Account there arose most grievous Quarrels and Seditions, many being killed, and many publickly whipped by *Athanasius*'s Order, according to the Accusations of his Enemies. *Constantius*, after his elder Brother's Death, convened a Synod at *Antioch* in *Syria*, where *Athanasius* was again deposed for these Crimes, and *Gregory* put into the See of *Alexandria*. In this Council a new Creed was drawn up, in which the Word *Consubstantial* was wholly omitted, and the Expressions made use of so general, as that they might have been equally agreed to by the Orthodox and Arians. In the Close of it several Anathema's were added, and particularly upon all who should teach or preach other-

Ad Solit. Vit. Agen. Epist. p. 809, 810. — Soc. l. 2. c. 8. — Soz. l. 3. c. 5. — Soz. l. 3. c. 5. — Soc. l. 2. c. 10.

otherwise than what this Council had received, because, as they themselves say, *They did really believe and follow all Things delivered by the Holy Scriptures, both Prophets and Apostles.* So that now the whole Christian World was under a synodical Curse, the opposite Councils having damned one another, and all that differed from them. And if Councils, as such, have any Authority to anathematise all who will not submit to them, this Authority equally belongs to every Council; and therefore 'twas but a natural Piece of Revenge, that as the Council of *Nice* had sent all the Arians to the Devil, the Arians, in their turn, should take the Orthodox along with them for Company, and thus repay one Anathema with another. O Tempora!

Constantius himself was warmly on the Arian side, and favoured the Bishops of that Party only, and ejected *Paul* the Orthodox Bishop from the See of *Con-*
stantinople, as a Person altogether unworthy of it, *Macedonius* being substitu- Soc. l. 3.
ted in his room. *Macedonius* was in a different Scheme, or at least expressed c. 4.
himself in different Words both from the Orthodox and Arians, and assert- Athanas. de Sanct.
ed, That the Son was not Consubstantial but ὁμοιούσιος, not of the same, but a Trin. V. 2.
like Substance with the Father, and openly propagated this Opinion, after he p. 210.
had thrust himself into the Bishoprick of *Paul*. This the orthodox Party highly Soc. l. 2.
resented, opposing *Hermogenes*, whom *Constantius* had sent to introduce him, c. 13.
and in their Rage burnt down his House, and drew him round the Streets by his Feet till they had murthered him. But notwithstanding the Emperor's Orders were thus opposed, and his Officers killed by the orthodox Party, he treated them with great Lenity, and in this Instance punished them much less
than their Insolence and Fury deserved. Soon after this *Athanasius* and *Paul* c. 15.
were restored again to their respective Sees; and upon *Athanasius*'s entering *Alexandria* great Disturbances arose, which were attended with the Destruction of many Persons, and *Athanasius* accused of being the Author of all those Evils. Soon after *Paul*'s return to *Constantinople* he was banished from thence again by the Emperor's Order, and *Macedonius* re-entered into Possession of that See, upon which Occasion three Thousand one Hundred and fifty Persons were murthered, some by the Soldiers, and others by being pressed to Death by the
Croud. *Athanasius* also soon followed him into Banishment, being accused of Soc. l. 2.
selling the Corn which *Constantine* the Great had given for the Support of the c. 17.
Poor of the Church of *Alexandria*, and putting the Money in his own Pocket; and being therefore threaten'd by *Constantius* with Death. But they were both a little while after recalled by *Constans*, then banished again by *Constantius*; and *Paul*, as some say, murthered by his Enemies the Arians, as he was carry-
ing into Exile; though, as *Athanasius* himself owns, the Arians expresly denied Ad Sol.
it, and said, that he died of some Distemper. *Macedonius* having thus gotten Vit. Ag.
quiet Possession of the See of *Constantinople*, prevailed with the Emperor to p. 813.
publish a Law, by which those of the Consubstantial, or orthodox Party, were Soc. l. 2.
driven not only out of the Churches but Cities too, and many of them compel- c. 27.
led to communicate with the Arians by Stripes and Torments, by Proscriptions
and Banishments, and other violent Methods of Severity. Upon the Banish- Ad Const.
ment of *Athanasius*, whom *Constantius* in his Letter to the Citizens of *Alexan-* Apol. p. 695.

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dria calls an Impostor, a Corrupter of Men's Souls, a Disturber of the City, a pernicious Fellow, one convicted of the worst Crimes, not to be expiated by his suffering Death ten Times, George was put into the See of *Alexandria*, whom the Emperor, in the same Letter, stiles *a most venerable Person, and the most capable of all* Cont. Ar. Orat. 1. p. 290. *Men to instruct them in heavenly Things*; though *Athanasius*, in his usual Stile, calls him *an Idolater and Hangman, and one capable of all Violences, Rapines, and Murthers*; and whom he actually charges with committing the most im- l. 2. c. 25. pious Actions and outragious Cruelties. Thus, as *Socrates* observes, was the Church torn in pieces by a Civil War for the sake of *Athanasius* and the Word *Consubstantial*.

The Truth is, that the Christian Clergy were now become the chief Incendiaries and Disturbers of the Empire, and the Pride of the Bishops, and the Fury of the People on each side were grown to such an Height, as that there scarce ever was an Election or Restoration of a Bishop in the larger Cities, but it was attended with Slaughter and Blood. *Athanasius* was several Times banished and restored, at the Expence of Blood; the Orthodox were deposed, and the Arians substituted in their room, with the Murther of Thousands; and as the Controversy was now no longer about the plain Doctrines of uncorrupted Christianity, but about Power and Dominion, high Preferments, large Reve- Soc. l. 2. c. 15, 16. nues, and secular Honours; agreeably hereto, the Bishops were introduced into their Churches, and placed on their Thrones, by armed Soldiers, and paid no Regard to the Ecclesiastical Rules, or the Lives of their Flocks, so they could get Possession, and keep out their Adversaries: And when once they were in, they treated those who differ'd from them without Moderation or Mercy, turning them out of their Churches, denying them the Liberty of Worship, putting them under an Anathema, and persecuting them with innumerable Methods of Cruelty; as is evident from the Accounts given by the Ecclesiastical Historians, of *Athanasius*, *Macedonius*, *George*, and others, which may be read at large in the forementioned Places. In a Word, they seemed to treat one another with the same implacable Bitterness and Severity, as ever their common Enemies, the Heathens, treated them, as though they thought that Persecution for Conscience sake had been the distinguishing Precept of the Christian Religion; and that they could not more effectually recommend and distinguish themselves as the Disciples of Christ, than by taring and devouring Am. Mar. l. 22. c. 5. one another. This made *Julian*, the Emperor, say of them, *That he found by Experience, that even Beasts are not so cruel to Men, as the generality of Christians were to one another.*

This was the unhappy State of the Church in the Reign of *Constantius*, which affords us little more than the History of Councils and Creeds differing from, and contrary to each other; Bishops deposing, censuring, and anathematizing their Adversaries, and the Christian People divided into Factions under their respective Leaders, for the sake of Words they understood nothing of the Sense of, and striving for Victory even to Bloodshed and Death. Upon the Succession of *Julian* to the Empire, though the contending Parties could not unite against the common Enemy, yet they were by the Emperor's Clemency and

Wisdom

Wisdom kept in tolerable Peace and Order. The Bishops which had been Soc. l. 3.
banished by *Constantius* his Predecessor, he immediately recalled, ordered their c. 1.
Effects, which had been confiscated, to be restored to them, and commanded that no one should injure or hurt any Christian whatsoever. And as *Ammianus Marcellinus*, an heathen Writer of those Times, tells us, he caused the Christian l. 22. c. 5.
Bishops and People, who were at variance with each other, to come into his Palace, and there admonished them, that they should every one profess their own Religion, without Hindrance or Fear, provided they did not disturb the publick Peace by their Divisions. This was an Instance of great Moderation and Generosity, and a Pattern worthy the Imitation of all his Successors.

In the beginning of *Julian*'s Reign some of the Inhabitants of *Alexandria*, Soc. l. 3.
and, as was reported, the Friends of *Athanasius*, by his Advice, raised a great c. 2, 3, 4.
Tumult in the City, and murthered *George*, the Bishop of the Place, by taring him Philost. l. 7. c. 2.
in pieces, and burning his Body; upon which *Athanasius* returned immediately from his Banishment, and took Possession of his See, turning out the Arians from their Churches, and forcing them to hold their Assemblies in private and mean Places. *Julian*, with great Equity, severely reproved the *Alexandrians* for this their Violence and Cruelty, telling them, that though *George* might have greatly injured them, yet they ought not to have revenged themselves on him, but to have left him to the Justice of the Laws. *Athanasius*, upon his Restoration, immediately convened a Synod at *Alexandria*, in which was first asserted the Divinity of the Holy Spirit, and his Consubstantiality with the Father and the Son. But his Power there was but short; for being accused to *Julian* c. 13.
as the Destroyer of that City, and all *Egypt*, he saved himself by flight, but soon after secretly returned to *Alexandria*, where he lived in great privacy till Theod.
the Storm was blown over by *Julian*'s Death, and the Succession of *Jovian* to l. 4. c. 2.
the Empire, who restored him to his See, in which he continued undisturbed to his Death.

Although *Julian* behaved himself with great Moderation, upon his first Accession to the imperial Dignity, towards the Christians, as well as others, yet his Hatred to Christianity soon appeared in many Instances. For though he did not, like the rest of the Heathen Emperors, proceed to sanguinary Laws, Soc. l. 3.
yet he commanded, that the Children of Christians should not be instructed in c. 14, &c.
the *Grecian* Language and Learning. By another Edict he ordained, That no Christian should bear any Office in the Army, nor have any Concern in the Distribution and Management of the publick Revenues. He taxed very heavily, Theod.
and demanded Contributions from all who would not sacrifice, to support the l. 3. c. 6, &c.
vast Expences he was at in his Eastern Expeditions. And when the Governors of the Provinces took Occasion from hence to oppress and plunder them, he dismissed those who complained with this scornful Answer, *Your God hath commanded you to suffer Persecution!* He also deprived the Clergy of all their Immunities, Honours, and Revenues, granted them by *Constantine*, abrogated the Laws made in their Favour, and ordered they should be listed amongst the Number of Soldiers. He destroyed several of their Churches, and stripped them of their Treasure and sacred Vessels. Some he punished with Banish-

 ment,

ment, and others with Death, under pretence of their having pulled down ſome of the Pagan Temples, and inſulted himſelf.

The Truth is, that the Chriſtian Biſhops and People ſhewed ſuch a turbulent and ſeditious Spirit, that 'twas no wonder that *Julian* ſhould keep a jealous Eye over them, and though otherwiſe a Man of great Moderation, connive at the Severities his Officers ſometimes practiſed on them. Whether he would have proceeded to any farther Extremities againſt them, had he returned Victorious from his *Perſian* Expedition, as *Theodorit* affirms he would, cannot, I
l. 3. c. 21. think, be determined. He was certainly a Perſon of great Humanity in his natural Temper; but how far his own Superſtition, and the Imprudencies of the Chriſtians, might have altered this Diſpoſition, 'tis impoſſible to ſay. Thus much is certain, that the Behaviour of the Chriſtians towards him, was, in many Inſtances, very blameable, and ſuch as tended to irritate his Spirit, and awaken his Reſentment. But whatever his Intentions were, he did not live to execute them, being ſlain in his *Perſian* Expedition.

Soc. l. 3. c. 24, 25. He was ſucceeded by *Jovian*, who was a Chriſtian by Principle and Profeſſion. Upon his return from *Perſia* the Troubles of the Church immediately revived, the Biſhops and Heads of Parties crouding about him, each hoping that he would liſt on their ſide, and grant them Authority to oppreſs their Adverſaries. Theod. l. 4. c. 4 *Athanaſius*, amongſt others, writes to him in favour of the *Nicene* Creed, and warns him againſt the Blaſphemies of the Arians; and though he doth not directly urge him to perſecute them, yet he tells him, that 'tis neceſſary to adhere to the Deciſions of that Council concerning the Faith, and that their Creed was Divine and Apoſtolical; and that no Man ought to reaſon or diſpute againſt it, as the Arians did. A Synod alſo of certain Biſhops met at *Antioch* in *Syria*; and though ſeveral of them had been Oppoſers of the *Nicene* Doctrine before, yet finding that this was the Faith eſpouſed by *Jovian*, they with great Obſequiouſneſs readily confirm'd it, and ſubſcribed it, and in a flattering Letter ſent it to him, repreſenting that this true and orthodox Faith was the great Center of Unity. The Followers alſo of *Macedonius*, who rejected the Word *Conſubſtantial*, and held the Son to be only *like to the Father*, moſt humbly beſought him, that ſuch who aſſerted the Son to be unlike the Father might be driven from their Churches, and that they themſelves might be put into them in their room; with the Biſhops Names ſubſcribed to the Petition. But *Jovian*, though himſelf in the orthodox Doctrine, did not ſuffer himſelf to be drawn into Meaſures of Perſecution by the Arts of theſe temporizing Prelates, but diſmiſſed them civilly with this Anſwer: *I hate Contention, and love thoſe only that ſtudy Peace*; declaring, that *he would trouble none upon account of their Faith, whatever it was; and that he would favour and eſteem ſuch only who ſhould ſhew themſelves Leaders in reſtoring the Peace of the Church*. *Themiſtius* the Philoſopher, in his Oration upon *Jovian*'s Conſulate, commends him very juſtly on this account, that he gave free Liberty to every one to worſhip God as he would, and deſpiſed the flattering Inſinuations of thoſe who would have perſuaded him to the Uſe of violent Methods, concerning whom he pleaſantly, but with too much Truth, ſaid, *That he found by Experience, that they worſhip not God, but the Purple.*

The

The two Emperors, *Valentinianus* and *Valens*, who succeeded *Jovian*, were of very different Tempers, and embraced different Parties in Religion. The [Soc. l. 4. c. 1.] former was of the Orthodox side; and though he favoured those most who were of his own Sentiments, yet he gave no Disturbance to the Arians. On the contrary, *Valens*, his Brother, was of a rigid and sanguinary Disposition, and severely persecuted all who differed from him. In the beginning of their Reign [Theod. l. 4. c. 8.] a Synod met in *Illyricum*, who again decreed the Consubstantiality of Father, Son, and Holy Ghost. This the two Emperors declared in a Letter their Assent to, [Cod. Theod. tit. 16. l. 9.] and ordered that this Doctrine should be preached. However, they both published Laws for the Toleration of all Religions, even the Heathen and Arian. But *Valens* was soon prevailed on by the Arts of *Eudoxius*, Bishop of [Soc. l. 4. c. 6. Soz. l. 6. c. 7.] *Constantinople*, to forsake both his Principles of Religion and Moderation, and embracing the Arian Party, he cruelly persecuted all those who were of the orthodox Party. The Conduct of the orthodox Synod met at *Lampsacus* was the first Thing that enraged him; for having obtained of him leave to meet, for the Amendment and Settlement of the Faith, after two Months Consultation they decreed the Doctrine of the Son's being like the Father as to his Essence, to be Orthodox, and deposed all the Bishops of the Arian Party. This highly exasperated *Valens*, who thereupon called a Council of Arian Bishops, and commanded the Bishops that composed the Council at *Lampsacus* to embrace the Opinions of *Eudoxius* the Arian, and upon their refusal immediately sent them into Banishment, and gave their Churches to their Enemies, sparing only *Paulinus*, for the remarkable Sanctity of his Life. After this he enter'd into more violent Measures, and caused the Orthodox, some of them to be whipped, others to be disgraced, others to be imprisoned, and others to be fined. He also put great Numbers to death, and particularly caused eighty of [Soc. Ibid. c. 15, 16. Theod. l. 4. c. 22.] them at once to be put on Board a Ship, and the Ship to be fired when it was failed out of the Harbour, where they miserably perished by the Water and the Flames. These Persecutions he continued to the End of his Reign, and was greatly assisted in them by the Bishops of the Arian Party.

In the mean Time great Disturbances happened at *Rome*. *Liberius*, Bishop [Soc. l. 4. c. 29.] of that City being dead, *Ursinus*, a Deacon of that Church, and *Damasus*, were both nominated to succeed him. The Party of *Damasus* prevailed, and got him chosen and ordained. *Ursinus* being enraged that *Damasus* was preferred before him, set up separate Meetings, and at last procured himself to be privately ordained by certain obscure Bishops. This occasioned great Disputes amongst the Citizens, which should obtain the Episcopal Dignity, and the Matter was carried to such an Height, that great Numbers were murthered in the Quarrel on both sides, no less than one Hundred thirty seven Persons being destroy'd in the Church it self, according to *Ammianus*, who adds, [o] *That 'twas no wonder* [l. 27. c. 3.] *to see those who were ambitious of human Greatness, contending with so much Heat*

[o] Cum id adepti, futuri sint ita securi, ut ditentur oblationibus Matronarum, procedantq; vehiculis insidentes, circumspecte vestiti, epulas curantes profusas, adeo ut eorum convivia regales superent mensas.

and

and Animosity for that Dignity, because when they had obtained it, they were sure to be enriched by the Offerings of the Matrons, of appearing Abroad in great Splendor, of being admired for their costly Coaches, sumptuous in their Feasts, out-doing Sovereign Princes in the Expences of their Tables. For which Reason *Prætextatus*, an Heathen, who was Prefect of the City the following Year, said, *Make me Bishop of* Rome *and I'll be a Christian too.*

Gratian, the Son of *Valentinian*, his Partner and Successor in the Empire, was of the orthodox Party, and after the Death of his Uncle *Valens* recalled those Theod. l. 5. c. 2. whom he had banished, and restored them to their Sees. But as to the Arians, he sent *Sapores*, one of his Captains, to drive them, as wild Beasts, out of all their Churches. *Socrates* and *Sozomen* tell us, however, that by a Law he ordained, that Persons of all Religions should meet, without fear, in their several Churches, and worship according to their own Way, the *Eunomians*, *Photinians* and *Manichees* excepted.

Theodosius, soon after his Advancement by *Gratian* to the Empire, discover- Soz. l. 7. c. 4, 6. ed a very warm Zeal for the orthodox Opinions; for observing that the City of *Constantinople* was divided into different Sects, he wrote a Letter to them from *Thessalonica*, wherein he tells them, *That 'twas his Pleasure, that all his Subjects should be of the same Religion with* Damasus *Bishop of* Rome, *and* Peter *Bishop of* Alexandria; and that their Church only should be called Catholick, who worshipped the Divine Trinity as equal in Honour; and that those who were of another Opinion should be called Hereticks, become infamous, and be subject to other Punishments. He also forbid Assemblies and Disputations in the *Forum*, and made a Law for the Punishment of those that should presume to ar- Soc. l. 5. c. 7. gue about the Essence and Nature of God. Upon his first coming to *Constantinople*, being very solicitous for the Peace and Increase of the Church, he sent for *Demophilus* the Arian Bishop, and asked him whether he would consent to the *Nicene* Faith, and thus accept the Peace he offered him; adding, *If you refuse to do it I will drive you from your Churches.* And upon *Demophilus*'s Refusal, the Emperor was as good as his Word, and turned him and all the Arians out of the City, after they had been in possession of the Churches there for c. 8. Forty Years. But being willing more effectually to extinguish Heresy, he summoned a Council of Bishops of his own Persuasion, *A. C.* 383. to meet together at *Constantinople*, in order to confirm the *Nicene* Faith: The Number of them were one Hundred and fifty; to these were added thirty six of the *Macedonian* Party. *The second general Council*, A.C. 383. And accordingly this Council, which is reckoned the second Oecumenical or general one, all of them, except the *Macedonians*, did decree that the *Nicene* Faith should be the Standard of Orthodoxy; and that all Heresies should be condemned. They also made an Addition to that Creed, explaining the orthodox Doctrine of the Spirit against *Macedonius*, viz. after the Words Holy Ghost, they inserted, *The Lord, the Quickner, proceeding from the Father, whom with the Father and the Son we worship and glorify, and who spake by the Prophets.* Cod. Theod. l. 11, 12. When the Council was ended the Emperor put forth two Edicts against Hereticks; by the first prohibiting them from holding any Assemblies; and by the second, forbidding them to meet in Fields or Villages, order-

ordering the Houses where they met to be confiscated, and commanding that such who went to other Places to teach their Opinions, or perform their religious worship, should be forced to return to the Places where they dwelt, condemning all those Officers and Magistrates of Cities who should not prevent such Assemblies. A little while after the Conclusion of this Council, finding that many Disorders were still occasioned through the Opposition of the several Parties to one another, he convened the principal Persons of each, and ordered them to deliver into his Hand a written Form of their Belief, which after he had received, he retired by himself, and earnestly prayed to God, that he would enable him to make Choice of the Truth. And when after this he had perused the several Papers delivered to him, he tore them all in pieces, except that which contained the Doctrine of the indivisible Trinity, to which he intirely adhered. After this he published a Law, by which he forbid Hereticks to worship or preach, or to ordain Bishops or others, commanding some to be banished, others to be rendered infamous, and to be deprived of the common Privileges of Citizens, with other grievous Penalties of the like nature. *Sozomen*, however, tells us, that he did not put these Laws in execution, because his Intention was not to punish his Subjects, but to terrify them into the same Opinions of God with himself, praising at the same time those who voluntarily embraced them. *Socrates* also confirms the same, telling us, that he only banished *Eunomius* from *Constantinople* for holding private Assemblies, and reading his Books to them, and thereby corrupting many with his Doctrine. But that as to others he gave them no Disturbance, nor forced them to communicate with him, but allowed them all their several Meetings, and to enjoy their own Opinions as to the Christian Faith. Some he permitted to build Churches without the Cities, and the *Novatians* to retain their Churches within, because they held the same Doctrines with himself.

Soz. l. 7. c. 12.

l. 5. c. 20.

Arcadius and *Honorius*, the Sons and Successors of *Theodosius*, embraced the orthodox Religion and Party, and confirmed all the Decrees of the foregoing Emperors in their Favour. Soon after their Accession to the imperial Dignity, *Nectarius* Bishop of *Constantinople* died, and *John*, called for his Eloquence *Chrysostom*, was ordained in his room: He was a Person of a very rigid and severe Temper, an Enemy to Hereticks, and against allowing them any Toleration. *Gaina*, one of the principal Officers of *Arcadius*, and who was a Christian of the Arian Perswasion, desired of the Emperor one Church for himself and those of his Opinion, within the City. *Chrysostom* being informed of it, immediately went to the Palace, taking with him all the Bishops he could find at *Constantinople*, and in the Presence of the Emperor bitterly inveigh'd against *Gaina*, who was himself at the Audience, and reproached him for his former Poverty, as also with Insolence and Ingratitude. Then he produced the Law that was made by *Theodosius*, by which Hereticks were forbidden to hold Assemblies within the Walls of the City; and turning to the Emperor, perswaded him to keep in force all the Laws against Hereticks; adding, that 'twas better voluntarily to quit the Empire, than to be guilty of the Impiety of betraying the House of God. *Chrysostom* carried his Point, and the Consequence of it was

Soz. l. 8. c. 1, 2, 4.

an Insurrection of the *Goths* in the City of *Constantinople*, which had like to have ended in the Burning the imperial Palace, and the Murther of the Emperor, and did actually end in the cutting off all the *Gothick* Soldiers, and the Burning of their Church, with great Numbers of Persons in it, who fled thither for Safety, and were locked in to prevent their escape. His violent Treatment of several Bishops, and the arbitrary Manner of his deposing them, and substituting others in their room, contrary to the Desires and Prayers of the People, is but too full a Proof of his imperious Temper, and love of Power. Not content with this, he turned his Eloquence against the Empress *Eudoxia*, and in a set Oration inveighing against bad Women, he expressed himself in such a Manner, as that both his Friends and Enemies believed that the Invective was chiefly levelled against her. This so enraged her, that she soon procured his Deposition and Banishment. Being soon after restored, he added new Provocations to the former, by rebuking the People for certain Diversions they took at a Place where the Statue of the Empress was erected. This she took for an Insult on her Person, and when *Chrysostom* knew her Displeasure on this Account, he used more severe Expressions against her than before, saying, *Herodias is enraged again*; *she raises fresh Disturbances*; *and again desires the Head of* John *in a Charger*. On this and other Accounts he was deposed and banished by a Synod convened for that purpose, Bishops being always to be had in those Days easily, to do what was desired or demanded of them by the Emperors. *Chrysostom* died in his Banishment, according to the Christian Wish of *Epiphanius*, *I hope you'll not die Bishop of* Constantinople; which *Chrysostom* returned with a Wish of the same good Temper, *I hope you'll not live to return to your own City*; so deadly was the Hatred of these Saints and Fathers against each other. After *Chrysostom*'s Death his Favourers and Friends were treated with great Severity, not indeed on the Account of Religion, but for other Crimes of Sedition they were charged with, and particularly, for burning down one of the Churches in the City, the Flames of which spread themselves to the Senate House and entirely consumed it.

Soz. l. 8. c. 6.

Soz. l. 8. c. 16.

Soc. l. 6. c. 18.

Under the same Emperors the Donatists gave sad Specimens of their Cruelty in *Africa* towards the Orthodox, as St. *Austin* informs us. They seized on *Maximianus*, one of the *African* Bishops, as he was standing at the Altar, beat him unmercifully, and ran a Sword into his Body, leaving him for dead. And a little after he adds, That it would be tedious to recount the many horrible Things they made the Bishops and Clergy suffer; some had their Eyes put out; one Bishop had his Hands and Tongue cut off, and others were cruelly destroyed. I forbear, says *Austin*, to mention their barbarous Murthers, and demolishing of Houses, not private ones only, but the very Churches themselves. *Honorius* published very severe Edicts against them, ordaining, That if they did not, both Clergy and Laity, return to the Catholicks by such a Day, they should be heavily fined, their Estates should be confiscated, the Clergy banished, and their Churches all given to the Catholicks. These Laws *Austin* commends as rightly and piously ordained, maintaining the Lawfulness of persecuting Hereticks by all manner of Ways, Death only excepted.

Epist. 50. ad Bon. & Epist. 68. ad Januar.

Cod. Theod. l. 52.

Under

Under the Reign of *Theodosius*, *Arcadius* his Son, those who were called Hereticks were grievously persecuted by the Orthodox. *Theodosius*, Bishop of *Synnada* in *Phrygia*, expelled great Numbers of the Followers of *Macedonius* from the City and Country round about, *Not from any Zeal for the true Faith*, as *Socrates* says, *but through Covetousness, and a Design to extort Money from them.* On this Account he used all his Endeavours to oppress them, and particularly *Agapetus* their Bishop, armed his Clergy against them, and accused them before the Tribunal of the Judges. And because he did not think the Governors of the Provinces sufficient to carry on this good Work of Persecution, he went to *Constantinople* to procure fresh Edicts against them; but by this means he lost his Bishoprick, the People refusing him Admission into the Church upon his return, and chusing *Agapetus*, whom he had persecuted, in his room. Soc. l. 7. c. 3.

Theophilus, Bishop of *Alexandria*, the great Enemy of *Chrysostom*, being dead, *Cyrill* was enthroned in his room, not without great Disturbance and Opposition from the People, and used his Power for the Oppression of Hereticks; for immediately upon his Advancement, he shut up all the Churches of the *Novatians* in that City, took away all their sacred Treasures, and stripped *Theopemptus* their Bishop, of every Thing that he had. Nor was this much to be wonder'd at, since, as *Socrates* observes, that from the Time of *Theophilus*, *Cyrill*'s Predecessor, *The Bishop of* Alexandria *began to assume an Authority and Power above what belonged to the sacerdotal Order.* On this Account the great Men hated the Bishops, because they usurped to themselves a good part of that Power which belonged to the imperial Governors of Provinces; and particularly, *Cyrill* was hated by *Orestes*, Prefect of *Alexandria*, not only for this Reason, but because he was a continual Spy upon his Actions. At length their Hatred to each other publickly appeared. *Cyrill* took on him, without acquainting the Governor, or contrary to his leave, to deprive the *Jews* of all their Synagogues, and banished them from the City, and encouraged the Mob to plunder them of their Effects. This the Prefect highly resented, and refused the Bishop's Offers of Peace and Friendship. Upon this about fifty Monks came into the City for *Cyrill*'s Defence, and meeting the Prefect in his Chariot publickly insulted him, calling him Sacrificer and Pagan; adding many other injurious Reproaches. One of them, called *Ammonius*, wounded him in the Head with a Stone, which he flung at him with great Violence, and covered him all over with Blood; and being, according to the Laws, put by *Orestes* publickly to the Torture, he died through the Severity of it. St. *Cyrill* honourably received the Body into the Church, gave him the new Name of *Thaumasius*, or, *The Wonderful*, ordered him to be looked on as a Martyr, and lavishly extolled him in the Church, as a Person murthered for his Religion. This scandalous Procedure of *Cyrill*'s the Christians themselves were ashamed of, because 'twas publickly known, that the Monk was punished for his Insolence; and even St. *Cyrill* himself had the Modesty at last to use his Endeavours that the whole Affair might be entirely forgotten. The Murther also of *Hypatia* by *Cyrill*'s Friends and Clergy, merely out of Envy to her superior Skill in Philosophy, brought him and his Church of *Alexandria* under great Infamy; for l. 7. c. 7. l. 7. c. 13, 14. Id. Ibid. c. 15.

 as

as she was returning home from a Visit, one *Peter* a Clergyman, with some other Murtherers, seized on her, dragged her out of her Chariot, carried her to one of the Churches, stripped her naked, scraped her to Death with Shells, then tore her in pieces, and burnt her Body to Ashes.

Soc. l. 7. c. 9. *Innocent* also, Bishop of *Rome*, grievously persecuted the *Novatians*, and took from them many Churches; and, as *Socrates* observes, was the first Bishop of that See who disturbed them. *Celestine* also, one of his Successors, imitated this Injustice, and took from the *Novatians* the Remainder of their Churches,
c. 11. and forced them to hold their Assemblies in private; *For the Bishops of* Rome, *as well as those of* Alexandria, *had usurped a tyrannical Power, which, as Priests, they had no right to*; and would not suffer those who agreed with them in the Faith, as the *Novatians* did, to hold publick Assemblies, but drove them out of their Oratories, and plundered them of all their Substance.

Nestorius, Bishop of *Constantinople*, immediately upon his Advancement, shewed himself a violent Persecutor; for as soon as ever he was ordained, he addressed himself to the Emperor before the whole Congregation, and said,
c. 29. *Purge me, O Emperor, the Earth from Hereticks, and I will give thee in recompence the Kingdom of Heaven. Conquer with me the Hereticks, and I with thee will subdue the* Persians. And agreeable to his bloody Wishes, the fifth Day after his Consecration, he endeavoured to demolish the Church of the Arians, in which they were privately assembled for Prayer. The Arians in their Rage, seeing the Destruction of it determined, set Fire to it themselves, and occasioned the Burning down the neighbouring Houses; and for this Reason not only the Hereticks, but those of his own Persuasion, distinguished him by the Name of *Incendiary*. But he did not rest here, but tried all Tricks and Methods to destroy Hereticks; and by these Means endangered the Subversion of *Constantinople* it self. He persecuted the *Novatians*, through hatred of *Paul* their Bishop for his eminent Piety. He grievously oppressed those who were not Orthodox as to the Day of keeping *Easter*, in *Asia*, *Lydia*, and *Caria*, and occasioned the Murthers of great Numbers on this Account, at *Miletus* and *Sardis*.

c. 2. Few indeed of the Bishops were free from this wicked Spirit. *Socrates*, however, tells us, that *Atticus* Bishop of *Constantinople* was a Person of great Piety and Prudence, and that he did not offer Violence to any of the Hereticks, but that after he had once attempted to terrify them, he behaved more mildly and
c. 41. gently to them afterwards. *Proclus* also, Bishop of the same City, who had been brought up under *Atticus*, was a careful Imitator of his Piety and Virtue, and exercised rather greater Moderation than his Master, being gentle towards all Men, from a Perswasion, that this was a much more proper Method than Violence to reduce Hereticks to the true Faith, and therefore he never made use of the imperial Power for this purpose. And in this he imitated *Theodosius* the Emperor, who was not at all concerned or displeased that any should think differently of God from himself. However, the Number of Bishops of this Temper was but small. Nothing pleased the generality of them but Methods of Severity, and the utter Ruin and Extirpation of their Adversaries.

Under

Under the Reign of this Emperor, the Arians alſo, in their Turn, uſed the Orthodox with no greater Moderation, than the Orthodox had uſed them. The *Vandals*, who were partly Pagans, and partly Arians, had ſeized on *Spain* and *Africa*, and exerciſed innumerable Cruelties on thoſe who were not of the ſame Religion with themſelves. *Traſimond* their General in *Spain*, and *Genſerick* in *Africa*, uſed all poſſible Endeavours to propagate Arianiſm throughout all their Provinces. And the more effectually to accompliſh this Deſign, they filled all Places with Slaughter and Blood, by the Advice of the Biſhops of their Party, burning down Churches, and putting the orthodox Clergy to the moſt grievous and unheard of Tortures, to make them diſcover the Gold and Silver of their Churches, repeating theſe kind of Tortures ſeveral times, ſo that many actually died under them. *Genſerick* ſeized on all the ſacred Books he could find, that they might be deprived of the Means of defending their Opinions. By the Counſel of his Biſhops, he ordered that none but Arians ſhould be admitted to Court, or employ'd in any Offices about his Children, or ſo much as enjoy the Benefit of a Toleration. *Armogeſtes*, *Maſculon*, and *Saturus*, three Officers of his Court, were inhumanly tortured to make them embrace Arianiſm; and, upon their refuſal, they were ſtripped of their Honours and Eſtates, and forced to protract a miſerable Life in the utmoſt Poverty and Want. Theſe and many more Inſtances of *Genſerick*'s Cruelty towards the Orthodox, during a long Reign of thirty eight Years, are related by *Victor*, *l.* 1. *in fine.*

During theſe Tranſactions, a new Controverſy, of a very extraordinary and important Nature, aroſe in the Church, which, as the other had done before, occaſioned many Diſorders and Murthers, and gave Birth to the third general Council. *Neſtorius*, the perſecuting Biſhop of *Conſtantinople*, altho' tolerably ſound in the Doctrine of the real Deity of the *Logos*, yet excepted againſt the Virgin *Mary*'s being called Θεοτοκος, i. e. *Mother of God*, becauſe, as he argued, *Mary was a Woman, and that therefore God could not be born of her*; adding, *I cannot call him God, who once was not above two or three Months old*; and therefore he ſubſtituted another Word in the room of it, calling her Χριστοτοκος, or *Mother of Chriſt*. By this Means, he ſeemed to maintain, not only the Diſtinction of the two Natures in Chriſt, for he allowed the proper Perſonality and Subſiſtence of the *Logos*, but that there were alſo two diſtinct Perſons in Chriſt; the one a mere Man, abſolutely diſtinct from the Word, and the other God, as abſolutely diſtinct from the human Nature. This cauſed great Diſturbances in the City of *Conſtantinople*, and the Diſpute was thought of ſuch Conſequence, as to need a Council to ſettle it. Accordingly *Theodoſius* convened one at *Epheſus*, *A. C.* 434. of which *Cyrill* was Preſident; and as he hated *Neſtorius*, he perſuaded the Biſhops of his own Party to decree, that the Virgin was, and ſhould be, the Mother of God, and to anathematiſe all who ſhould not confeſs her in this Character, nor own that the Word of God the Father was united ſubſtantially to the Fleſh, making one Chriſt of two Natures, both God and Man together; or who ſhould aſcribe what the Scriptures ſay of Chriſt, to two Perſons or Subſiſtences, interpreting ſome of the Man, exclusive

Evag. E. H. l. 1. c. 2. Soc. l. 7. c. 32, 34.

Third general Council, A. C. 434. Soc. Ibid. Evag. l. 1. c. 5.

exclusive of the Word; and others of the Word, exclusive of the human Nature; or who should presume to call the Man Christ Θεοφόρος, *the Bearer, or the Receptable of God*, instead of God; and hastily to depose *Nestorius* five Days before the coming of *John* Bishop of *Antioch*, with his suffragran Bishops. *John*, upon his Arrival at *Ephesus*, deposed *Cyrill*, in a Council of Bishops held for that Purpose, and accused him of being the Author of all the Disorders occasioned by this Affair, and of having rashly proceeded to the Deposition of *Nestorius*. *Cyrill* was soon absolved by his own Council, and, in Revenge, deposed *John* of *Antioch*, and all the Bishops of his Party. But they were both reconciled by the Emperor, and restored each other to their respective Sees, and, as the Effect of their Reconciliation, both subscribed to the Condemnation of *Nestorius*, who was sent into Banishment, where, after suffering great Hardships, he died miserably; being thus made to taste those Sweets of Persecution, he had so liberally given to others, in the Time of his Power and Prosperity. The Emperor himself, though at first he disapproved of this Council's Conduct, yet afterwards was persuaded to ratify their Decrees, and published a Law, by which all who embraced the Opinions of *Nestorius*, were, if Bishops or Clergymen, ordered to be expelled the Churches; or if Laymen, to be anathematised. This occasioned irreconcileable Hatreds amongst the Bishops and People, who were so enraged against each other; that there was no passing with any Safety from one Province or City to another, because every one pursued his Neighbour as his Enemy, and, without any Fear of God, revenged themselves on one another, under a Pretence of Ecclesiastical Zeal.

Evag. l. 1. c. 12.

Chal. Concil. Act. 10. Frag. Epist. Edess. Epic.

Marcian, the Successor of *Theodosius* in the Empire, embraced the Orthodox Party and Opinions, and was very desirous to bring about an entire Uniformity in the Worship of God, and to establish the same Form of Doxologies amongst all Christians whatsoever. Agreeably to this his Temper, *Eusebius*, Bishop of *Nicomedia*, address'd him soon after his Promotion in these Words: *God hath justly given you the Empire, that you should govern all for the universal Welfare, and for the Peace of his holy Church: And therefore, before and in all Things, take Care of the Principles of the orthodox and most holy Faith, and extinguish the Roarings of the Hereticks, and bring to Light the Doctrines of Piety.* The Legates also of *Leo*, Bishop of *Rome*, presented him their Accusations against *Dioscorus*, Bishop of *Alexandria*; as did also *Eusebius*, Bishop of *Dorylæum*, beseeching the Emperor that these Things might be judged and determined by a Synod. *Marcian* consented, and ordered the Bishops to meet first at *Nice*, and afterwards at *Chalcedon*. This was the fourth oecumenical or general Council, consisting of near six hundred Prelates. The principal Cause of their assembling was the *Eutychian* Heresy. *Eutyches*, a Presbyter of *Constantinople*, had asserted, in the Reign of *Theodosius*, *jun.* that *Jesus Christ consisted of two Natures before his Union or Incarnation, but that after this he had one Nature only*. He also denied that *the Body of Christ was of the same Substance with ours*. On this Account, he was deposed by a particular Council at *Constantinople* by *Flavian*, Bishop of that Place: But, upon his complaining to the Emperor that the Acts

Evag. l. 2. c. 1.

Concil. Chalced. Act. 13.

Evag. l. 2. c. 2.

The fourth general Council, A. C. 454. l. 1. c. 9, 10.

Acts of that Council were falsified by his Enemies, a second Synod of the neighbouring Bishops met in the same City, who, after examining those Acts, found them to be genuine, and confirmed the Sentence against *Eutyches*. But *Dioscorus*, Bishop of *Alexandria*, who was at Enmity with *Flavian* of *Constantinople*, obtained, from *Theodosius*, that a third Council should be held on this Affair, which accordingly met at *Ephesus*, which the Orthodox stigmatised by the Name of Ληςρικη, the thieving Council, or Council of Thieves. *Dioscorus* was President of it, and, after an Examination of the Affair of *Eutyches*, his Sentence of Excommunication and Deposition was taken off, and himself restored to his Office and Dignity, the Bishops of *Constantinople*, *Antioch*, and others, being deposed in his stead. But the condemned Bishops, and the Legates from *Rome*, appealed from this Sentence to another Council, and prevailed with *Theodosius* to issue his Letters for the assembling one: But as he Evag. l. 2.
died before they could meet, the Honour of determining this Affair was re- c. 4, 18.
served for his Successor *Marcian*; and when the Fathers, in Obedience to his Summons, were convened at *Chalcedon*, the Emperor favoured them with his Presence; and, in a Speech to them, told them, *That he had nothing more at Heart than to preserve the true and orthodox Christian Faith, safe and uncorrupted, and that therefore he proposed to them a Law, that no one should dare to dispute of the Person of Christ, otherwise than as it had been determined by the Council of* Nice. After this Address of the Emperor, the Fathers proceeded to their synodical Business, and, notwithstanding the Synod was divided, some of the Fathers piously crying out, *Damn* Dioscorus, *banish* Dioscorus, *banish the* Ægyptian, *banish the Heretick, Christ hath deposed* Dioscorus; others, on the contrary, *Restore* Dioscorus *to the Council, restore* Dioscorus *to his Churches*; yet, through the Authority of the Legates of *Rome*, *Dioscorus* was deposed for his Contempt of the sacred Canons, and for his Contumacy towards the holy universal Synod. After this, they proceeded to settle the Faith according to the *Nicene* Creed, the Opinions of the Fathers, and the Doctrine of *Athanasius*, *Cyrill*, *Cælestine*, *Hilarius*, *Basil*, *Gregory*, and *Leo*; and decreed, that *Christ was truly God, and truly Man, consubstantial to the Father as to his Deity, and consubstantial to us as to his Humanity, and that he was to be confessed as consisting of two Natures without Mixture, Conversion of one into the other, and without Division or Separation; and that it should not be lawful for any Persons to utter, or write, or compose, or think, or teach any other Faith whatsoever*; and that if any should presume to do it, they should, if Bishops or Clergymen, be deposed; and if Monks or Laicks, be anathematised. This procured a loud Acclamation: *God bless the Emperor, God bless the Empress. We believe as Pope* Leo *doth. Damn the Dividers and the Confounders. We believe as* Cyrill *did: Immortal be the Name of* Cyrill. *Thus the Orthodox believe; and cursed be every one that doth not believe so too.* *Marcian* ratified their Decrees, and banished *Dioscorus*, and put forth an Evag. l. 2.
Edict, containing very severe Penalties against the *Eutychians* and *Apollina-* c. 5.
rists, commanding that no one whatsoever, either of the Clergy or Laity, *Hist. of the*
should publickly dispute about Religion, under Pain of Banishment, and *Inquisition*, l. 1.
Loss of all Honours, Dignities, Orders, &c. For this Reason, Pope *Leo* c. 3.

August. Epist. 75. returns him Thanks, that he had destroy'd these Heresies, and exhorts him farther, that he would reform the See of *Alexandria*, and not only depose the heretical Clergy of *Constantinople* from their clerical Orders, but expel them from the City it self.

Evag. l. 2. c. 5. *Proterius* was substituted by this Council Bishop of *Alexandria*, in the room of *Dioscorus*; and, upon his taking Possession of his Bishoprick, the whole City was put into the utmost Confusion, being divided, some for *Dioscorus*, Niceph. l. 15. c. 8. some for *Proterius*. The Mob assaulted with great Violence their Magistrates, and being opposed by the Soldiers, they put them to flight by a Shower of Stones; and as they betook themselves to one of the Churches for Sanctuary, the Mob besieged it, and burnt it to the Ground, with the Soldiers in it. The Emperor sent two thousand other Soldiers to quel this Disturbance, who encreased the Miseries of the poor Citizens, by offering the highest Indigni- Evag. l. 2. c. 8. ties to their Wives and Daughters. And though they were for some Time kept in Awe, yet, upon *Marcian*'s Death, they broke out into greater Fury, ordained *Timotheus* Bishop of the City, and murthered *Proterius*, by running him through with a Sword. After this, they hung him by a Rope, in a publick Place, by way of Derision, and then, after they had ignominiously drawn him round the whole City, they burnt him to Ashes, and even fed on his very Bowels in the Fury of their Revenge. The Orthodox charged these Outrages upon the *Eutychians*; but *Zacharias*, the Historian, mentioned by *Evagrius*, says, *Proterius* himself was the Cause of them, and that he raised the greatest Disturbances in the City: And, indeed, the Clergy of *Alexandria*, in their Letter to *Leo*, the Emperor, concerning this Affair, acknowledge, that *Proterius* had deposed *Timotheus*, with four or five Bishops, and several Monks, for Heresy, and obtained of the Emperor their actual Banishment. c. 5. Great Disturbances happened also in *Palestine* on the same Account; the Monks who opposed the Council forcing *Juvenal*, Bishop of *Jerusalem*, to quit his See, and getting one *Theodosius* ordained in his room. But the Emperor soon restored *Juvenal*, after whose Arrival the Tumults and Miseries of the City greatly encreased, the different Parties acting by one another just as their Fury and Revenge inspired them.

c. 9, 10. *Leo* succeeded *Marcian*, and sent circular Letters to the several Bishops, to make Enquiries concerning the Affairs of *Alexandria*, and the Council of *Chalcedon*. Most of the Bishops adhered to the Decrees of those Fathers, and agreed to depose *Timotheus*, who was sent to bear *Dioscorus* Company in Banishment.

Under *Zeno*, the Son-in-Law, and Successor of *Leo*, *Hunnerick* the *Vandal* grievously persecuted the Orthodox in *Africa*. In the Beginning of his Reign, he made a very equitable Proposal, that he would allow them the Liberty of choosing a Bishop, and worshipping according to their own Way, provided the Emperor would grant the Arians the same Liberty in *Constantinople*, and other Places. This the Orthodox would not agree to, choosing rather to have their own Brethren persecuted, than to allow Toleration to such as differed from them. *Hunnerick* was greatly enraged by this Refusal, and exer-

cised

cifed great feverity towards all who would not profefs the Arian Faith, being excited hereto by *Cyrill* one of his Bifhops, who was perpetually fuggefting to him, that the Peace and Safety of his Kingdom could not be maintained, unlefs he extirpated all who differed from him as publick Nufances. This cruel ecclefiaftical Advice was agreeable to the King's Temper, who immediately put forth the moft fevere Edicts againft thofe who held the Doctrine of the Confubftantiality, and turned all thofe Laws which had been made againft the Arians, and other Hereticks, againft the Orthodox themfelves, it being, as *Hunnerick* obferves in his Edict, *an Inftance of Virtue in a King, to turn evil Counfels againft thofe who were the Authors of them.* But though the Perfecution carried on by the Orthodox was no Vindication of *Hunnerick*'s Cruelty towards them, yet I think they ought to have obferved the Juftice of divine Providence, in fuffering a wicked Prince to turn all thofe unrighteous Laws upon themfelves, which, when they had Power on their fide, they had procured for the Punifhment and Deftruction of others. A particular Account of the Cruelties exercifed by this Prince may be read at large in *Victor de Vandal Perfec.* l. 3.

Zeno, though perfectly Orthodox in his Principles, yet was a very wicked and profligate Prince, and rendered himfelf fo extremely hateful to his own Family, by his Vices and Debaucheries, that *Bafilifcus*, Brother of *Verina*, Mother of *Zeno*'s Emprefs, expelled him the Empire, and reigned in his ftead; and having found by Experience, that the Decrees of the Council of *Chalcedon* Evag. l. 3. had occafioned many Difturbances, he by an Edict ordained, that the *Nicene* c. 4. Creed alone fhould be ufed in all Churches, as being the only Rule of the pure Faith, and fufficient to remove every Herefy, and perfectly to unite all the Churches; confirming at the fame Time the Decrees of the Councils of *Conftantinople* and *Ephefus*. But as to thofe of the Council of *Chalcedon* he ordered, that as they had deftroyed the Unity and good Order of the Churches, and the Peace of the whole World, they fhould be anathematized by all the Bifhops; and that where-ever any Copies of thofe Articles fhould be found they fhould be immediately burnt. And that whofoever after this fhould attempt, either by Difpute or Writing, or Teaching, at any Time, Manner or Place, to utter, or fo much as name the Novelties that had been agreed on at *Chalcedon* contrary to the Faith, fhould, as the Authors of Tumults and Seditions in the Churches of God, and as Enemies to God and himfelf, be fubject to all the Penalties of the Laws, and be depofed, if Bifhops or Clergymen; and if Monks or Laicks, be punifhed with Banifhment, and Confifcation of their Effects, and even with Death it felf. Moft of the eaftern Bifhops fubfcribed thefe Letters l. 3. c. 5. of *Bafilifcus*; and being afterwards met in Council at *Ephefus*, they depofed *Acacius* the orthodox Bifhop of *Conftantinople*, and many other Bifhops that agreed with him. They alfo wrote to the Emperor to inform him, That *they had voluntarily fubfcribed his Letters*; and to perfuade him to adhere to them, or that otherwife *the whole World would be fubverted, if the Decrees of the Synod of* Chalcedon *fhould be re-eftablifhed, which had already produced innumerable Slaughters, and occafioned the fhedding of the Blood of the orthodox Chriftians.* But *Acacius*,

 Bifhop

Bishop of *Constantinople*, soon forced *Basiliscus* to alter his Measures, by raising up the Monks and Mob of the City against him; so that he recalled his former Letters, and ordered *Nestorius* and *Eutyches*, with all their Followers, to be anathematized, and soon after he quitted the Empire to *Zeno*. Upon his
Evag. l. 3. Restoration he immediately rescinded the Acts of *Basiliscus*, and expelled those
c. 8, 9. Bishops from their Sees which had been ordained during his Abdication. In the mean Time the *Asiatick* Bishops, who in their Letter to *Basiliscus* had declared, that the Report of their *subscribing involuntarily, and by force, was a Slander and a Lye*; yet upon this Turn of Affairs, in order to excuse themselves to *Acacius*, and to ingratiate themselves with *Zeno*, affirm, *That they did it not voluntarily, but by force, swearing that they had always, and did now believe the Faith of the Synod of* Chalcedon. *Evagrius* leaves it in doubt, whether *Zacharias* defamed them, or whether the Bishops lyed, when they affirmed that they subscribed involuntarily, and against their Consciences.

c. 13. *Zeno* observing the Disputes that had arisen through the Decrees of the last
c. 14. Council, published his *Henoticon*, or his *uniting and pacifick Edict*, in which he confirmed the *Nicene*, *Constantinopolitan*, and *Ephesine* Councils, ordained that the *Nicene* Creed should be the Standard of Orthodoxy, declared that neither himself nor the Churches have, or had, or would have any other Symbol or Doctrine but that, condemned *Nestorius* and *Eutyches*, and their Followers; and ordered, that whosoever had, or did think otherwise, either now or formerly, whether at *Chalcedon* or any other Synod, should be anathematized. The Intention of the Emperor by this Edict, was plainly to reconcile the Friends and Opposers of the Synod of *Chalcedon*; for he condemned *Nestorius* and *Eutyches*, as that Council had done, but did not anathematize those who would not receive their Decrees, nor submit to them as of equal Authority with those of the three former Councils: But this Compromise was far from having the desired effect.

c. 11, 12. During these Things several Changes happen'd in the Bishoprick of *Alexandria*. *Timothy*, Bishop of that Place being dead, one *Peter Mongus* was elected by the Bishops Suffragans of that See, which so enraged *Zeno*, that he intended to have put him to Death, but changed it for Banishment, and *Timothy*, Successor of *Proterius*, was substituted in his room. Upon *Timothy*'s Death *John*, a Presbyter of that Church, obtained the Bishoprick by Symony, and in Defiance of an Oath he had taken to *Zeno*, that he would never procure himself to be elected into that See. Upon this he was expelled, and *Mongus* restored by the Emperor's Order. *Mongus* immediately consented, and subscribed to the pacifick Edict, and received into Communion those who had formerly been
c. 16. of a different Party. Soon after this he was accused by *Calendio* Bishop of *Antioch* for Adultery, and for having publickly anathematized the Synod of *Chal-*
c. 17. *cedon* at *Alexandria*; and though this latter Charge was true, yet he solemnly denied it in a Letter to *Acacius* Bishop of *Constantinople*, turning with the Time, condemning and receiving it, just as it suited his Views, and served his Interest.
c. 20, 21. But being at last accused before *Felix* Bishop of *Rome*, he was pronounced an Heretick, excommunicated, and anathematized.

Anasta-

Anastasius, who succeeded *Zeno*, was himself a great Lover of Peace, and endeavoured to promote it, both amongst the Clergy and Laity, and therefore ordered, that there should be no Innovations in the Church whatsoever. But this Moderation was by no means pleasing to the Monks and Bishops. Some of them were great Sticklers for the Council of *Chalcedon*, and would not allow so much as a Syllable or a Letter of their Decrees to be altered, nor communicate with those who did not receive them. Others were so far from submitting to this Synod, and their Determinations, that they anathematized it; whilst others adhered to *Zeno*'s *Henoticon*, and maintained Peace with one another, even though they were of different Judgment concerning the Nature of Christ. Hence the Church was divided into Factions, so that the Bishops would not communicate with each other. Not only the Eastern Bishops separated from the Western; but those of the same Provinces had Schisms amongst themselves. The Emperor, to prevent as much as possible these Quarrels, banished those who were most remarkably troublesome from their Sees, and particularly the Bishops of *Constantinople* and *Antioch*, forbidding all Persons to preach either for or against the Council of *Chalcedon*, in any Places where it had not been usual to do it before; that by allowing all Churches their several Customs, he might prevent any Disturbances upon account of Innovations. But the Monks and Bishops prevented all these Attempts for Peace, by forcing one another to make new Confessions and Subscriptions, and by anathematizing all who differed from them as Hereticks; so that by their seditious and obstinate Behaviour they occasioned innumerable Quarrels and Murthers in the Empire. They also treated the Emperor himself with great Insolence, and excommunicated him as an Enemy to the Synod of *Chalcedon*. *Macedonius*, Bishop of *Constantinople*, and his Clergy, raised the Mob of that City against him, only for adding to one of their Hymns these Words, *Who was crucified for us.* And when for this Reason *Macedonius* was expelled his Bishoprick, they urged on the People to such an height of Fury as endangered the utter Destruction of the City; for in their Rage they set Fire to several Places in it, cut off the Head of a Monk, crying out, he was *an Enemy of the Trinity*; and were not to be appeased till the Emperor himself went amongst them without his imperial Diadem, and brought them to Temper by proper Submissions and Persuasions. And though he had great Reason to be offended with the Bishops for such Usage, yet he was of so human and tender a Disposition, that though he ordered several of them to be deposed for various Offences, yet apprehending that it could not be effected without Bloodshed, he wrote to the Prefect of *Asia*, *Not to do any Thing in the Affair, if it would occasion the shedding a single Drop of Blood.*

Evag. l. 3. c. 30. c. 31, 32. c. 44. c. 34.

Under this Emperor *Symmachus* Bishop of *Rome* expelled the *Manichees* from the City, and ordered their Books to be publickly burnt before the Doors of the Church.

Platina

Justin was more zealous for Orthodoxy than his Predecessor *Anastasius*, and in the first Year of his Reign gave a very signal Proof of it. *Severus*, Bishop of *Antioch*, was warm against the Council of *Chalcedon*, and continually anathematizing it in the Letters he wrote to several Bishops; and because the People

Evag. l. 3. c. 4, 9.

quarrelled on this Account, and divided into ſeveral Parties, *Juſtin* ordered the Biſhop to be apprehended, and his Tongue to be cut out, and commanded that the Synod of *Chalcedon* ſhould be preached up through all the Churches of the Empire. *Platina* alſo tells us, that he baniſhed the Arians, and gave their Churches to the Orthodox. *Hormiſda* alſo, Biſhop of *Rome*, in imitation of his Predeceſſor *Symmachus*, baniſhed the Remainder of the *Manichees*, and cauſed their Writings to be burnt.

In vit. Johan. 1. Platin.

Juſtinian, his Succeſſor in the Empire, ſucceeded him alſo in his Zeal for the Council of *Chalcedon*, and baniſhed the Biſhops of *Conſtantinople* and *Antioch*, becauſe they would not obey his Orders, and receive the Decrees of that Synod. He alſo publiſhed a Conſtitution, by which he anathematized them and all their Followers, and ordered, that whoſoever ſhould preach their Opinions ſhould be ſubject to the moſt grievous Puniſhments. By this means nothing was openly preached in any of the Churches but this Council; nor did any one dare to anathematize it. And whoſoever were of a contrary Opinion, they were compelled by innumerable Methods to come into the Orthodox Faith. In the third Year of his Reign he publiſhed a Law, ordering that there ſhould be no Pagans, nor Hereticks, but orthodox Chriſtians only, allowing to Hereticks three Months only for their Converſion. By another he deprived Hereticks of the Right of Succeſſion. By another he rendered them incapable of being Witneſſes in any Trial againſt Chriſtians. He prohibited them alſo from baptizing any Perſons, and from tranſcribing heretical Books under the Penalty of having the Hand cut off. Theſe Laws were principally owing to the Perſuaſions of the Biſhops. Thus *Agapetus*, Biſhop of *Rome*, who had condemned *Anthimus*, and depoſed him from his See of *Conſtantinople*, perſuaded *Juſtinian* to baniſh all thoſe whom he had condemned for Hereſy. *Pelagius* alſo deſired, that Hereticks and Schiſmaticks might be puniſhed by the ſecular Power, if they would not be converted. The Emperor was too ready to comply with this Advice. But notwithſtanding all this Zeal for Orthodoxy, and the cruel Edicts publiſhed by him for the Extirpation of Hereſy, he was infamouſly Covetous, ſold the Provinces of the Empire to Plunderers and Oppreſſors, ſtripped the Wealthy of their Eſtates upon falſe Accuſations and forged Crimes, and went Partners with common Whores in their Gains of Proſtitution; and what is worſe, in the Eſtates of thoſe whom thoſe Wretches falſely accuſed of Rapes and Adultery. And yet, that he might appear as Pious as he was Orthodox, he built out of theſe Rapines and Plunders many ſtately and magnificent Churches; many religious Houſes for Monks and Nuns, and Hoſpitals for the Relief of the Aged and Infirm. *Evagrius* alſo charges him with more than beſtial Cruelty in the Caſe of the *Venetians*, whom he not only allowed, but even by Rewards encouraged to murther their Enemies at Noon-day, in the very Heart of the City, to break open Houſes, and plunder the Poſſeſſors of their Riches, forcing them to redeem their Lives at the Expence of all they had. And if any of his Officers puniſhed them for theſe Violences, they were ſure to be puniſhed themſelves with Infamy or Death. And that each ſide might taſte of his Severities, he afterwards turned his

Evag. l. 3. c. 11. Paul. Diacon. c. 16. Cod. de Hæret. Novel. 42. c. 1. Platin. Evag. l. 4. c. 30. c. 32.

his Laws against the *Venetians*, putting great Numbers of them to Death, for those very Murthers and Violences he had before encouraged and supported.

During his Reign, in the 24th Year of it, was held the fifth general Council at *Constantinople*, consisting of about 165 Fathers. The Occasion of their Meeting was the Opposition that was made to the four former general Councils, and particularly the Writings of *Origen*, which *Eustochius*, Bishop of *Jerusalem* accused, as full of many dangerous Errors. In the first Sessions it was debated, Whether *those who were dead were to be anathematized?* One *Eutychius* looked with Contempt on the Fathers for their Hesitation in so plain a Matter, and told them, that there needed no Deliberation about it; for that King *Josias* formerly did not only destroy the idolatrous Priests who were living, but dug also those who had been dead long before out of their Graves. So clear a Determination of the Point, who could resist? The Fathers immediately were convinced, and *Justinian* caused him to be consecrated Bishop of *Constantinople*, in the Room of *Menas*, just deceas'd, for this his Skill in Scripture and Casuistry. The Consequence was, that the Decrees of the four preceeding Councils were all confirmed; those who were condemned by them re-condemned and anathematized, particularly *Theodorus* Bishop of *Mopsuestia*, and *Ibas*, with their Writings, as favouring the Impieties of *Nestorius*; and finally, *Origen*, with all his detestible and execrable Principles, and all Persons whatsoever who should think, or speak of them, or dare to defend them. After these Transactions the Synod sent an Account of them to *Justinian*, whom they complimented with the Title of *the most Christian King, and with having a Soul partaker of the heavenly Nobility*. And yet soon after these Flatteries his most Christian Majesty turned Heretick himself, and endeavoured with as much Zeal to propagate Heresy as he had done Othodoxy before: He published an Edict, by which he ordained, That *the Body of Christ was incorruptible, and incapable even of natural and innocent Passions; that before his Death he eat in the same manner as he did after his Resurrection, receiving no Conversion or Change from his very Formation in the Womb, neither in his voluntary or natural Affections, nor after his Resurrection*. But as he was endeavouring to force the Bishops to receive his Creed, God was pleased, as *Evagrius* observes, to cut him off, and notwithstanding *the heavenly Nobility of his Soul, he went*, as the same Author charitably supposes, *to the Devil*.

The Fifth general Council, A. C. 551.

Evag. l. 4. c. 38.

c. 39.

c. 41.

l. 5. c. 1.

Hunnerick, the Arian King of the *Vandals*, treated the Orthodox in this Emperor's Reign with great Cruelty in *Africa*, because they would not embrace the Principles of *Arius*; some he burnt, and others he destroyed by different Kinds of Death; he ordered the Tongues of several of them to be cut out, who afterwards made their Escape to *Constantinople*, where *Procopius*, if you will believe him, affirms he heard them speak as distinctly as if their Tongues had remained in their Heads. *Justinian* himself mentions them in one of his Constitutions. Two of them however, who happen'd to be Whore-Masters, lost afterwards on this Account, the Use of their Speech, for this Reason, and the Honour and Grace of Martyrdom.

l. 4. c. 14.

Justin

Evag. l. 5. c. 1. *Justin* the younger, who succeeded *Justinian*, published an Edict soon after his Advancement, by which he sent all Bishops to their respective Sees, and to perform divine Worship according to the usual Manner of their Churches, without making any Innovations concerning the Faith. As to his personal Character, he was extremely dissolute, and debauched, and addicted to the most vile and criminal Pleasures. He was also sordidly Covetous, and sold the very Bishopricks to the best Bidders, putting them up to publick Auction. Nor was c. 2. he less remarkable for his Cruelty: He had a near Relation of his own Name, whom he treacherously murthered, and of whom he was so jealous, that he could not be content till he and his Empress had trampled his Head under their c. 3. Feet. However, he was very Orthodox, and published a new Explication of the Faith, which for Clearness and Subtlety exceeded all that went before it. In this he professes, That *he believed in Father, Son, and Holy Spirit, the Consubstantial Trinity, one Deity, or Nature, or Essence, in one Virtue, Power and Energy, in three Hypostases or Persons; and that he adored the Unity in Trinity, and the Trinity in Unity, having a most admirable Difference and Union; the Unity according to the Essence or Deity; the Trinity according to the Properties, Hypostases or Persons; for they are divided indivisibly; or if I may so speak, they are joined together separately. The Godhead in the Three is One, and the Three are One, the Deity being in them; or to speak more accurately, the Three are the Deity, God the Father, God the Son, and God the Holy Ghost, each Person being considered by itself, the Mind thus separating Things inseparable; the Three being understood to be together God, being one in Operation and Nature. We believe also in one only begotten Son of God, the Word ——— for the Holy Trinity receives no Addition of a fourth Person, even after the Incarnation of God the Word, one of the holy Trinity. But our Lord Jesus Christ is one and the same, Consubstantial to God, even the Father, according to his Deity, and Consubstantial to us according to his Manhood. He suffered in the Flesh, but was impassible in the Deity. For we do not own that God the Word who wrought the Miracles was one, and he that suffered another; but we confess that our Lord Jesus Christ, the Word of God, was one and the same, who was made Flesh and became perfect Man; and that the Miracles and Sufferings were of one and the same: For it was not a Man that gave himself for us, but God the Word himself, being made Man without change; so that when we confess our Lord Jesus Christ to be one and the same, compounded of each Nature, of the Godhead and Manhood, we do not introduce any Confusion or Mixture by the Union ——— for as God remains in the Manhood, so also nevertheless doth the Man, being in the Excellency of the Deity,* Emanuel *being both in one and the same, even one God and also Man. And when we confess him to be perfect in the Godhead, and perfect in the Manhood, of which he is compounded, we don't introduce a Division in part, or Section to his one compounded Person, but only signify the Difference of the Natures, which is not taken away by the Union; for the divine Nature is not converted into the human, nor the human Nature changed into the divine. But we say, that each being considered, or rather actually existing in the very Definition or Reason of its proper Nature, constitute the Oneness in Person. Now this Oneness as to Person signifies that God the Word,* i. e. *one Person of the three Persons of the Godhead was not united to a pre-existent Man, but that he formed to himself in the*

the Womb of our holy Lady Mary, *glorious Mother of God, and ever a Virgin, and out of her, in his own Person, Flesh consubstantial to us, and liable to all the same Passions, without Sin, animated with a reasonable and intellectual Soul.* —— *For considering his inexplicable Oneness, we orthodoxly confess one Nature of God the Word made Flesh, and yet conceiving in our Minds the Difference of the Natures, we say they are two, not introducing any Manner of Division. For each Nature is in him, so that we confess him to be one and the same Christ, one Son, one Person, one Hypostasis, God and Man together. Moreover, we anathematize all who have, or do think otherwise, and judge them as cut off from the holy Catholick, and apostolick Church of God.* To this extraordinary Edict, all, says the Historian, gave their Consent, esteeming it to be very Orthodox, though they were not more united amongst themselves than before.

Under *Mauritius*, *John* Bishop of *Constantinople*, in a Council held at that City, stiled himself Oecumenical Bishop, by the Consent of the Fathers there assembled; and the Emperor himself ordered *Gregory* to acknowledge him in that Character. *Gregory* absolutely refused it, and replied, that the Power of binding and loosing was delivered to *Peter* and his Sucessors, and not to the Bishops of *Constantinople*; admonishing him to take care, that he did not provoke the Anger of God against himself, by raising Tumults in his Church. This Pope was the first who stiled himself, *Servus Servorum Dei*, Servant of the Servants of God; and had such an Abhorrence of the Title of Universal Bishop, that he said, *I confidently affirm, that whosoever calls himself universal Priest is the Forerunner of Antichrist, by thus proudly exalting himself above others.* Platin in vit. Greg. I. l. 6. Epist. 194.

But however modest *Gregory* was in refusing and condemning this arrogant Title, *Boniface* III. thought better of the Matter, and after great struggles, prevailed with *Phocas*, who murthered *Mauritius* the Emperor, to declare, that the See of the blessed Apostle *Peter*, which is the Head of all Churches, should be so called and accounted by all, and the Bishop of it Oecumenical or universal Bishop. The Church of *Constantinople* had claimed this Precedence and Dignity, and was sometimes favoured herein by the Emperors, who declared, that the first See ought to be in that Place which was the Head of the Empire. The *Roman* Pontiffs, on the other hand, affirmed, that *Rome*, of which *Constantinople* was but a Colony, ought to be esteemed the Head of the Empire, because the *Greeks* themselves, in their Writings, stile the Emperor, *Roman* Emperor, and the Inhabitants of *Constantinople* are called *Romans* and not *Greeks*; not to mention, that *Peter*, the Prince of the Apostles, gave the Keys of the Kingdom of Heaven to his Successors, the Popes of *Rome*. On this Foundation was the Superiority of the Church of *Rome* to that of all other Churches built; and *Phocas*, who was guilty of all Villanies, was one of the fittest Persons that could be found to gratify *Boniface* in this Request. *Boniface* also called a Council at *Rome*, where this Supremacy was confirmed, and by whom it was decreed, that Bishops should be chosen by the Clergy and People, approved by the Prince of the City, and ratified by the Pope with these Words, *Volumus & jubemus*, For this is our Will and Command. To reward *Phocas* for the Grant of the Primacy, he approved the Murther of *Mauritius*, and very Platin in vit. Bonif. III.

honourably received his Images, which he sent to *Rome*. And having thus wickedly possessed themselves of this unrighteous Power, the Popes as wickedly used it, soon brought almost the whole Christian World into subjection to them, and became the Persecutors General of the Church of God; proceeding from one Usurpation to another, till at last they brought Emperors, Kings and Princes into subjection, forcing them to ratify their unrighteous Decrees, and to punish, in the severest Manner, all that should presume to oppose and contradict them, till she became *drunken with the Blood of the Saints, and with the Blood of the Martyrs of Jesus.* Babylon *the great, the Mother of Harlots, and Abominations of the Earth.*

The Inquisition is the Master-piece of their Policy and Cruelty; and such an Invention for the Suppression of Religion and Truth, Liberty and Knowledge, Innocence and Virtue, as could proceed from no other Wisdom but that which is *earthly, sensual, and devilish.* And as the History of it, which I now present my Reader with in his own Language, gives the most perfect Account of the Laws and Practices of this accursed Tribunal, I shall not enter into the Detail of popish Persecutions, especially as we have a full Account of those practised amongst our selves in *Fox* and other Writers, who have done Justice to this Subject. I shall only add a few Things relating to the two other general Councils, as they are stiled by Ecclesiastical Historians.

Plat. in vit. Honorii I. Under *Heraclius*, the Successor of *Phocas*, great Disturbances were raised upon Account of what they called the Heresy of the *Monothelites*, i. e. those who held there were not two Wills, the Divine and Human, in Christ, but only one single Will or Operation. The Emperor himself was of this Opinion, being persuaded into it by *Pyrrhus* Patriarch of *Constantinople*, and *Cyrus* Bishop of *Alexandria*. And though he afterwards seems to have changed his Mind in this Point, yet in order to promote Peace, he put forth an Edict, forbidding Disputes or Quarrels, on either side the Question. *Constans*, his Grandson, was of the same Sentiment, and at the Instigation of *Paul* Bishop of *Constantinople*, grievously persecuted those who would not agree with him. Plat. in vit. Mart. *Martyn*, Pope of *Rome*, sent his Legates to the Emperor and Patriarch to forsake their Errors, and embrace the Truth; but his Holiness was but little regarded, and after his Legates were imprisoned and whipped, they were sent into Banishment. This greatly enraged *Martyn*, who convened a Synod at *Rome* of 150 Bishops, who decreed, that whosoever should *not confess two Wills, and two Operations united, the Divine and the Human, in one and the same Christ, should be anathema*, and that *Paul* Bishop of *Constantinople*, should be condemned and deposed. The Emperor highly resented this Conduct, and sent *Olympius Hexarch* into *Italy* to propagate the *Monothelite* Doctrine; and either to kill *Martyn*, or send him Prisoner to *Constantinople*. *Olympius* not being able to execute either Design, *Theodorus* was sent in his room, who apprehended the Pope, put him in Chains, and got him conveyed to the Emperor, who after ignominiously treating him, banished him to *Pontus*, where he died in great Misery and Want. The Bishops of *Constans*'s Party were greatly assistant to him in this Work of Persecution, and shewed more Rage against their

Act. 15, 6. Constant. Tom. Concil. 2.

Fellow-

Fellow-Christians, than they did against the very Barbarians themselves.

Constantine, the Eldest Son of *Constans*, cut off his two younger Brothers Noses, that they might not share the Empire with him; but however happened to be more Orthodox than his Predecessors; and by the Persuasion of *Agatho*, Pope of *Rome*, convened the Sixth General Council at *Constantinople*, in which were present 289 Bishops. The Fathers of this holy Synod complimented the Emperor with being *another* David, *raised up by Christ, their God, a Man after his own Heart; who had not given Sleep to his Eyes, nor Slumber to his Eye-lids, till he had gathered them together, to find out the perfect Rule of Faith.* After this they condemned the Heresy of one Will in Christ, and declared, *That they glorified two natural Wills and Operations, indivisibly, inconvertibly, without Confusion, and inseparably in the same Lord Jesus Christ, our true God*, i. e. *the divine Operation, and the human Operation.* So that now the Orthodox Faith in Reference to Christ was this; That *he had two Natures, the divine and human; that these two Natures were united, without Confusion, into one single Person; and that in this one single Person, there were two distinct Wills and Operations, the human and divine.* Thus, at last, 681 Years after Christ, was the Orthodox Faith, relating to his Deity, Humanity, Nature and Wills, decided and settled by this Synod; who, after having pronounced Anathemas against the Living and Dead, ordered the Burning of heretical Books, and deprived several Bishops of their Sees; procured an Edict from the Emperor, commanding all to receive their Confession of Faith, and denouncing not only eternal, but corporal Punishments to all Recusants, *viz.* If they were Bishops, or Clergymen, or Monks, they were to be banished. If Laymen, of any Rank and Figure, they were to forfeit their Estates, and lose their Honours. If of the common People, they were to be expelled the Royal City. These their definitive Sentences were concluded with the usual Exclamation, of *God save the Emperor, Long live the Orthodox Emperor; down with the Hereticks; cursed be* Eutyches, Macarius, *&c. The Trinity hath deposed them.*

The Sixth general Council, A. C. 681. Plat. in vit. Agath.

The next Controversy of Importance was relating to the Worship of Images. The Respect due to the Memories of the Apostles and Martyrs of the Christian Church, was gradually carried into great Superstition, and at Length degenerated into downright Idolatry. Not only Churches were dedicated to them, but their Images placed in them, and religious Adoration paid to them. *Platina* tells us, That amongst many other Ceremonies introduced by Pope *Sixtus* III. in the Fifth Century, he persuaded *Valentinian* the younger, Emperor of the *West*, to beautify and adorn the Churches, and to place upon the Altar of St. *Peter*, a golden Image of our Saviour, enriched with Jewels. In the next Century the Images of the Saints were brought in, and religious Worship paid to them. This appears from a Letter of Pope *Gregory*'s, to the Bishop of *Marseilles*, who broke in Pieces certain Images, because they had been superstitiously adored. *Gregory* tells him, *I commend you, that through a pious Zeal, you would not suffer that which is made with Hands to be adored; but I blame you for breaking the Images in Pieces. For 'tis one Thing to adore a Picture, and another to learn by the History of the Picture, what is to be adored.*

l. 9. Ind. 2. Ep. 9.

l. 7. Jud. 2. *adored.* And elsewhere he declares, That *Images and Pictures in Churches, were*
Ep. 109. *very useful for the Instruction of the Ignorant, who could not read.* *Sergius*, after
Platin. this, repaired the Images of the Apostles. *John* VII. adorned a great many Churches with the Pictures and Images of the Saints. And at length, in the Reign of *Philippicus*, *Constantine* the Pope, in a Synod held at *Rome*, decreed, That Images should be fixed up in the Churches, and have great Adoration paid them. He also condemned and excommunicated the Emperor himself for Heresy; because he erased the Pictures of the Fathers, which had been painted on the Walls of the Church of St. *Sophia* at *Constantinople*; and commanded, that his Images should not be received into the Church; that his Name should not be used in any publick or private Writings, nor his Effigies stamped upon any kind of Money whatsoever.

This Superstition of bringing Images into Churches was warmly opposed, and gave Occasion to many Disturbances and Murders. The Emperor *Leo Isaurus* greatly disapproved this Practice, and published an Edict, by which, he commanded all the Subjects of the *Roman* Empire, to deface all the Pictures, and to take away all the Statues of the Martyrs and Angels out of the Churches, in order to prevent Idolatry, threatning to punish those who did not, as publick
Plat. in vit. Gregor. II. Enemies. Pope *Gregory* II. opposed this Edict, and admonished all Catholicks, in no manner to obey it. This occasioned such a Tumult at *Ravenna* in *Italy*, between the Partisans of the Emperor and the Pope, as ended in the Murder of *Paul*, *Exarch* of *Italy*, and his Son; which enraged the Emperor in an high Degree; so that he ordered all Persons to bring to him all their Images of Wood, Brass and Marble, which he publickly burnt; punishing with Death, all such as were found to conceal them. He also convened a Synod at *Constantinople*; where, after a careful and full Examination, it was unanimously agreed, that the Intercession of the Saints was a meer Fable; and the Worship of Images and Relicts was downright Idolatry, and contrary to the Word of God. And as *Germanus*, Patriarch of *Constantinople*, favoured Images, the Emperor banished him, and substituted *Anastatius*, who was of his own
Platin. Sentiments, in his Room. *Gregory* III. in the Beg nning of his Pontificate, assembled his Clergy, and by their unanimous Consent, deposed him on this Account, from the Empire, and put him under Excommunication; and was the first who withdrew the *Italians* from their Obedience to the Emperors of *Constantinople*, calling in the Assistance of *Charles* King of *France*. After this, he placed the Images of Christ and his Apostles in a more sumptuous Manner than they were before upon the Altar of St. *Peter*, and at his own Expence, made a golden Image of the Virgin *Mary*, holding Christ in her Arms, for the Church of St. *Mary ad Præsepe*.

Constantine Copronymus, *Leo*'s Son and Successor in the Empire, inherited his Father's Zeal against the Worship of Images, and called a Synod at *Constantinople*, to determine the Controversy. The Fathers being met together, to the Number of 330, after considering the Doctrine of Scripture, and the Opinions of the Fathers, decreed, *That every Image, of whatsoever Materials made and formed by the Artist, should be cast out of the Christian Church as a strange and abominable Thing; adding an Anathema upon all who should make Images or Pictures.*

Pictures, or Representations of God, or of Christ, or of the Virgin Mary, *or of any of the Saints, condemning it as a vain and diabolical Invention; deposing all Bishops, and subjecting the Monks and Laity, who should set up any of them in publick or private, to all the Penalties of the imperial Constitutions.* They also deposed *Constantine*, Patriarch of *Constantinople*, for opposing this Decree; and the Emperor first banished him, and afterwards put him to Death; and commanded, That this Council should be esteemed and received as the seventh oecumenical, or universal one. *Paul* I. Pope of *Rome*, sent his Legate to *Constantinople*, to admonish the Emperor to restore the sacred Images and Statues which he had destroy'd; and threatened him with Excommunication upon his Refusal. But *Copronymus* slighted the Message, and treated the Legates with great Contempt, and used the Image Worshippers with a great deal of Severity. Platin in vit. Paul I.

Constantine, Bishop of *Rome*, the Successor of *Paul*, seems also to have been an Enemy to Images, and was there tumultuously deposed, and *Stephen* III. substituted in his Room, who was a warm and furious Defender of them. He immediately assembled a Council in the *Lateran* Church, where the holy Fathers abrogated all *Constantine*'s Decrees; deposed all that had been ordained by him Bishops, made void all his Baptisms and Chrisms; and as some Historians relate, after having beat him, and used him with great Indignity, made a Fire in the Church, and burnt him therein. After this, they annulled all the Decrees of the Synod of *Constantinople*, ordered the Restoration of Statues and Images, and anathematized that execrable and pernicious Synod, giving this excellent Reason for the Use of Images, *That if 'twas lawful for Emperors, and those who had deserved well of the Commonwealth, to have their Images erected, but not lawful to set up those of God; the Condition of the immortal God would be worse than that of Men.* After this the Pope published the Acts of the Council, and pronounced an Anathema against all those who should oppose it. Id. in vit. Stephani.

Thus the Mystery of this Iniquity worked, till at length, under the Reign of *Irene* and *Constantine* her Son, a Synod was packed up of such Bishops as were ready to make any Decrees that should be agreeable to the *Roman* Pontiff, and the Empress. They met at *Nice*, to the Number of about 350. In this venerable Assembly it was decreed, *That holy Images of the Cross should be consecrated, and put on the sacred Vessels and Vestments, and upon Walls and Boards, in private Houses and publick Ways; and especially that there should be erected Images of the Lord God, our Saviour Jesus Christ, of our blessed Lady, the Mother of God, of the venerable Angels, and of all the Saints. And that whosoever should presume to think or teach otherwise, or to throw away any painted Books, or the Figure of the Cross, or any Image or Picture, or any genuine Relicts of the Martyrs, they should, if Bishops or Clergymen, be deposed, or if Monks or Laymen, be excommunicated.* Then they pronounced Anathemas upon all who should not receive Images, or who should apply what the Scriptures say against Idols, to the holy Images, or who should call them Idols, or who should wilfully communicate with those who rejected and despised them; adding, according to Custom, *Long live* Constantine *and* Irene *his Mother. Damnation to all Hereticks. Damnation on the Council that roared against venerable Images. The holy Trinity hath deposed them.* *The seventh general Council,* A.C.

Irene and *Constantine* approved and subscribed these Decrees, and the Consequence was, That Idols and Images were erected in all the Churches; and those who were against them, treated with great Severity. This Council was held under the Popedom of *Hadrian* I. and thus, by the Intrigues of the Popes of *Rome*, Iniquity was established by a Law, and the Worship of Idols authorized and established in the Christian Church, though contrary to all the Principles of natural Religion, and the Nature and Design of the Christian Revelation.

In vit. Hadrian I. 'Tis true, that this Decision of the Council did not put an entire End to the Controversy. *Platina* tells us, That *Constantine* himself not long after annulled their Decrees, and removed his Mother from all Share in the Government. The Synod also of *Francfort*, held about six Years after, decreed that the Worship and Adoration of Images was impious; condemned the Synod of *Nice*, which had established it, and ordered that it should not be called either the Seventh, or an universal Council. But as the *Roman* Pontiffs had engrossed almost all Power into their own Hands, all Opposition to Image Worship became ineffectual; especially as they supported their Decrees by the Civil Power, and caused great Cruelties to be exercised towards all those who should dare dispute or contradict them.

For many Years the World groaned under this antichristian Yoke; nor were any Methods of Fraud, Imposture and Barbarity left unpractised to support and perpetuate it. As the Clergy rid Lords of the Universe, they grew wanton and insolent in their Power; and as they drained the Nations of their Wealth to support their own Grandure and Luxury, they degenerated into the worst and vilest set of Men that ever burdened the Earth. They were shamefully ignorant, and scandalously vicious; well versed in the most exquisite Arts of Torture and Cruelty, and absolutely divested of all Bowels of Mercy and Compassion towards those, who even in the smallest Matters differed from the Dictates of their Superstition and Impiety. The infamous Practices of that accursed Tribunal, the Inquisition, the Wars against Hereticks in the Earldom of *Tholouse*, the Massacres of *Paris* and *Ireland*, the many Sacrifices they have made in *Great-Britain*, the Fires they have kindled, and the Flames they have lighted up in all Nations, where their Power hath been acknowledged, witness against them, and demonstrate them to be very Monsters of Mankind. So that one would really wonder, that the whole World hath not entered into a Combination, and risen in Arms against so execrable a Set of Men, and extirpated them as savage Beasts, from the Face of the whole Earth; who, out of a Pretence of Religion, have defiled it with the Blood of innumerable Saints and Martyrs, and made use of the Name of the most holy Jesus, to countenance and sanctify the most abominable Impieties.

But it pleased God, in his good Providence, to take the Remedy and Cure of these Evils, into his own Hands; and after several fruitless Attempts by Men, to bring about, at last, a Reformation of Religion, by his own Wisdom and Power. The History of this great Event hath been very particular-

ly and faithfully given by many excellent Writers, to which I must here refer my Readers; and it must be owned, that the Persons employ'd by Almighty God, to accomplish this great Work, were, many of them, remarkable for their great Learning and exemplary Piety. I am sure I have no Inclination to detract from their Worth and Merit. One would indeed have imagined, that the Cruelties exercised by the Papists, upon all who opposed their Superstitions in Worship, and their Corruptions in Doctrine, should have given the first Reformers an utter Abhorrence of all Methods of Persecution for Conscience sake, and have kept them from ever entering into any such Measures themselves. But it must be confessed, that however they differed from the Church of *Rome*, as to Doctrines and Discipline, yet, that they too generally agreed with her, in the Methods to support, what they themselves apprehended to be Truth and Orthodoxy; and were angry with the Papists, not for persecuting, but for persecuting themselves and their Followers; being really of opinion that Hereticks might be persecuted, and, in some Cases, persecuted to Death. And that this was their avowed Principle, they gave abundant Demonstration by their Practice.

Luther, the great Instrument, under God, of the Reformation in *Germany*, Luther.
was, as his Followers allow, naturally of a warm and violent Temper; but was however in his Judgment against punishing Hereticks with Death. Thus, in his Account of the State of the Popish Church, as related by *Seckendorf*, he says: *The true Church teaches the Word of God, but forces no one to it. If any one* l. 2. Sect.
will not believe it, she dismisses him, and separates her self from him, according 36. §. 83.
to the Command of Christ, and the Example of Paul *in the* Acts, *and leaves him to the Judgment of God: Whereas our Executioners, and most cruel Tyrants, teach not the Word of God, but their own Articles, acting as they please, and then adjudge those who refuse to believe their Articles, and obey their Decrees, to the Fires.* The same Author gives us many other strong Passages to the same Purpose. Particularly, in one of his Letters to *Lincus*, who asked his Opinion about the Punishment of false Teachers, *Luther* says: *I am very averse to the shedding of* Ibid. Sect.
Blood, even in the Case of such as deserve it: And I the more especially dread it in 13. §. 43.
this Case, because, as the Papists and Jews, under this Pretence, have destroy'd holy Prophets and innocent Men; so I am afraid the same would happen amongst our selves, if in one single Instance it should be allow'd lawful for Seducers to be put to Death. I can therefore, by no Means, allow that false Teachers should be destroy'd. But as to all other Punishments, *Luther* seems to have been of *Austin*'s Mind, and thought that they might be lawfully used. For after the before-mention'd Passage, he adds, *'Tis sufficient that they should be banished.* And in another Ibid. Sect.
Place, he allows, That *Hereticks may be corrected, and forced, at least, to silence,* 36. §. 83.
if they publickly deny any one of the Articles received by all Christians, and particularly that Christ is God; affirming him to be a mere Man or Prophet. This, says he, *is not to force Men to the Faith, but to restrain publick Blasphemy.* In another Place he goes farther, and says, That *Hereticks are not, indeed, to be put* l. 3. Sect.
to Death, but may however be confined, and shut up in some certain Place, and put 8. §. 28.
under Restraint as Madmen. As to the *Jews*, he was for treating them more severely,

l. 3. Sect. severely, and was of Opinion, that *their Synagogues should be levelled with the*
27. § 3. *Ground, their Houses destroy'd, their Books of Prayer, and of the* Talmud, *and even those of the* Old Testament, *be taken from them, their Rabbi's be forbid to teach, and forced, by hard Labour, to get their Bread; and if they would not submit to this, that they should be banished, as was formerly practised in* France *and* Spain.

l. 3. Sect. This was the Moderation of this otherwise great and good Man, who was
32. § 125. indeed against putting Hereticks to Death, but for almost all other Punish-
Germany. ments that the civil Magistrate could inflict: And, agreeably to this Opinion, he persuaded the Electors of *Saxony*, not to tolerate, in their Dominion, the Followers of *Zuinglius*, in the Opinion of the Sacrament; because he esteemed the real Presence an essential or fundamental Article of Faith; nor to enter into any Terms of Union with them, for their common Safety and Defence, against the Endeavours of the Papists to destroy them. And accordingly, notwithstanding all the Endeavours of the *Landgrave* of *Hesse Cassel*, to get them included in the common League against the Papists, the Elector would never allow it, being vehemently dissuaded from it by *Luther*, *Melancton*, and
l. 2. Sect. others of their Party, who alleged, *That they taught Articles contrary to those*
6. § 11. *received in* Saxony; *and that therefore there could be no Agreement of Heart with them.* In one of his Conferences with *Bucer*, he declared, That there could be no Union, unless *Zuinglius* and his Party should think and teach otherwise; cursing all Phrases and Interpretations that tended to assert the figurative
Sect. 17. Presence only, affirming, That *either those of his own Opinion, or those of*
§ 47. Zuinglius, *must be the Ministers of the Devil.* On this Account, though *Luther* was for treating *Zuinglius* and his Followers, with as much Christian Friendship as he could afford them, yet he would never own them for Brethren, but looked on them as Hereticks, and pressed the Electors of *Saxony* not to allow
l. 3. Sect. them in their Dominions. He also wrote to *Albert* Duke of *Prussia*, to per-
6. § 15. suade him to banish them his Territories. *Seckendorf* also tells us, That the
Sect. 13. § 41. *Lutheran* Lawyers of *Wittenburg*, condemned to Death one *Peter Pestelius*, for
Ibid. being a *Zuinglian*; though this was disapproved by the Elector of *Saxony*. Several also of the Anabaptists were put to Death by the *Lutherans*, for their Obstinacy in propagating their Errors, contrary to the Judgment of the Landgrave of *Hesse Cassel*, who declared himself for more moderate Measures, and for uniting all sorts of Protestants amongst themselves.

Calvin. *John Calvin*, another of the Reformers, and to whom the Christian World is, on many Accounts, under very great Obligations, was, however well known to be in Principle and Practice a Persecutor. So entirely was he in the persecuting Measures, that he wrote a Treatise in Defence of them, maintaining the Lawfulness of putting Hereticks to Death. And that by Hereticks, he meant such who differed from himself, is evident from his Treatment of *Castellio* and *Servetus*.

The former, not inferior to *Calvin* himself in Learning and Piety, had the Misfortune to differ from him in Judgment, in the Points of Predestination, Election, Free-will and Faith. This *Calvin* could not bear, and therefore treated

treated *Castellio*, in so rude and cruel a Manner, as I believe his warmest Friends will be ashamed to justify. In some of his Writings he calls him, *Blasphemer, Reviler, malicious barking Dog, full of Ignorance, Bestiality and Impudence, Impostor, a base Corrupter of the Sacred Writings, a Mocker of God, a Contemner of all Religion, an impudent Fellow, a filthy Dog, a Knave, an impious, leud, crooked minded Vagabond, beggerly Rogue.* At other Times he calls him *A Disciple and Brother of* Servetus, *and an Heretick. Castellio*'s Reply to all these Flowers, is worthy the Patience and Moderation of a Christian, and from his Slanderer he appeals to the righteous Judgment of God. But not content with these Invectives, *Calvin* farther accused him of three Crimes which *Castellio* particularly answers. The first was of Theft, in taking away some Wood, that belonged to another Person, to make a Fire to warm himself withal: This *Calvin* calls, *Cursed Gain, at another's Expence and Damage*; whereas, in Truth, the Fact was this. *Castellio* was thrown into such Circumstances of Poverty by the Persecutions of *Calvin* and his Friends, that he was scarce able to maintain himself. And as he dwelt near the Banks of the *Rhine*, he used, at leisure Hours, to draw out of the River, with an Hook, the Wood that was brought down by the Waters of it. This Wood was no private Property, but every Man's that could catch it. *Castellio* took it in the Middle of the Day, and amongst a great Number of Fishermen, and several of his own Acquaintance; and was sometimes paid Money for it by the Decree of the Senate. This the charitable *Calvin* magnifies into a Theft, and publishes to the World to paint out the Character of his Christian Brother.

But his Accusations ran farther yet; and he calls God to witness, that whilst he maintained *Castellio* in his House, *he never saw any one more proud, or perfidious, or void of Humanity; and 'twas well known he was an Impostor, of a peculiar Impudence, and one that took Pleasure in scoffing at Piety, and that he delighted himself in laughing at the Principles of Religion.* These Charges *Castellio* answers in such a Manner, as was enough to put even Malice it self to silence. For, notwithstanding *Calvin*'s Appeal to God for the Truth of these Things, yet he himself, and two of his principal Friends, who were eminent Preachers in *Savoy*, pressed *Castellio*, even contrary to his Inclination, to take the Charge of a School in *Stratsburg*: And therefore, as he says to *Calvin*, *With what Conscience could you make me Master, if you knew me to be such a Person, when I dwelt in your House? What Sort of Men must they be who would commit the Education of Children to such a wicked Wretch as you appeal to God you knew me to be?* But what is yet more to the Purpose, is, that after he had been Master of that School three Years, *Calvin* gave him a Testimonial, written and signed with his own Hand, as to the Integrity of his past Behaviour, affirming, amongst other Things, That *he had behaved himself in such a Manner, that he was, by the Consent of all of them, appointed to the Pastoral Office.* And in the Conclusion he adds, *Lest any one should suspect any other Reason why* Sebastian *went from us, we testify to all wheresoever he may come, That he himself voluntarily left the School, and so behaved himself in it, as that we adjudged him worthy this sacred Ministry.*

nistry. And that he was not actually received into it, was *non aliqua vitæ macula*, not owing to any Blemish of his Life, nor to any impious Tenets that he held in Matters of Faith, but to this only cause; the Difference of our Opinions about *Solomon*'s Songs, and the Article of Christ's Descent into Hell. But how is this Testimonial, that *Castellio* had no *macula vitæ*, was unblameable as to his Life, reconcileable with the Appeal to God, that he was proud and perfidious, and void of Humanity, and a professed Scoffer at Religion, whilst he dwelt at *Calvin*'s House? If this Charge was true, How came *Calvin* and his Friends to apppoint him Master of a School, and judge him worthy the sacred Ministry? Or if he was of so bad Character once, and afterwards gave the Evidence of a sincere Repentance by an irreproachable Behaviour, what Equity or Justice, what Humanity or Honour, was there in publishing to the World Faults that had been repented of and forsaken? *Castellio* solemnly protests that he had never injured *Calvin*, and that the sole Reason of his Displeasure against him was because he differed from him in Opinion. On this Account he endeavoured to render him every where Impious, prohibited the Reading of his Books; and, what is the last Effort of Enmity, endeavoured to excite the civil Magistrate against him to put him to Death. But God was pleased to protect this good Man from the Rage of his Enemies. He died at *Basil*, in Peace, and received an honourable Burial, the just Reward of his Piety, Learning, and Merit.

Bez. in vit. Calvin. I may add to this Account, *Calvin*'s Treatment of one *Jerom Bolsec*, who from a Carmelite Monk had embraced the reformed Religion, but held the Doctrine of Free-will and Predestination upon the Foresight of good Works. *Calvin* was present at a Sermon preached by him at *Geneva*, upon these Articles, and the Sermon being ended, publickly opposed him in the Congregation. When the Assembly was dismissed, poor *Bolsec* was immediately apprehended, and sent to Prison, and soon after, by *Calvin*'s Counsel, banished for Sedition and *Pelagianism* from the City, and forbid ever to come into it, or the Territories of it under Pain of being whipped, *A. C.* 1551.

Geneva. But *Calvin*'s Treatment of the unfortunate *Servetus* was yet more severe. His Book entitled, *Restitutio Christianismi*, which he sent in *MS.* to *Calvin*, enraged him to that Degree, that he afterwards kept no Temper or Measures with him, so that as *Bolsec* and *Uytenbogaert* relate, in a Letter written by him to his Friends *Viret* and *Farel*, he tells them, That *if this Heretick* (Servetus) *should ever fall into his Hands, he would take Care that he should lose his Life*. *Servetus* his Imprisonment at *Vienne*, soon gave him an Opportunity to shew his Zeal against him: For, in Order to strengthen the Evidence against him, *Calvin* sent to the Magistrates of that City, the Letters and Writings which *Servetus* had sent to him at *Geneva*. This is evident from the Sentence it self against him, in which those Writings, as well as his printed Book, are expresly mentioned as containing the Proofs of his Heresy. Whether *Calvin* sent them of his own Accord, or, at the Desire of the Magistrates of *Vienne*, I shall not presume to determine. If of his own Accord, it was a base Officiousness, and if at the Request of those Magistrates, it was a most unaccountable Conduct in a

(Biblioth. Raison. Pour d' Octobre, &c. 1728. *Art.* VIII.)

Proteſtant, to ſend Evidence to a Popiſh Court, to put a Proteſtant to Death; eſpecially conſidering that *Servetus* could not differ more from *Calvin* than *Calvin* did from the Papiſts, their common Adverſaries, and who certainly deſerved as much to be burnt, in their Judgment, as *Servetus* did in *Calvin*'s.

Beſides this, *Servetus* farther charges him with writing to one *William Trie* at *Lyons*, to furniſh the Magiſtrates of that City with Matter of Accuſation againſt him. The Author of the *Bibliotheque* beforementioned, ſays, this is a meer Romance, dreſſed up by *Servetus*. I confeſs it doth not appear to me in ſo very romantick a Light, at leaſt *Calvin*'s Vindication of himſelf from this Charge doth not ſeem to be altogether ſufficient. He ſays, *'Tis commonly reported, that I occaſioned* Servetus *to be apprehended at* Vienne, *on which Account, 'tis ſaid by many, that I have acted diſhonourably, in thus expoſing him to the mortal Enemies of the Faith, as though I had thrown him into the Mouth of the Wolves. But, I beſeech you, how came I, ſo ſuddenly, into ſuch an Intimacy with the Pope's Officers? 'Tis very likely, truly, that we ſhould correſpond together by Letters; and that thoſe who agree with me, juſt as* Belial *doth with Jeſus Chriſt, ſhould enter into a Plot with their mortal Enemy, as with their Companion: This ſilly Calumny will fall to the Ground, when I ſhall ſay, in one Word, That there is nothing in it.* But how doth all this confute *Servetus*'s Charge? For whatever Differences there might be between *Calvin* and the Papiſts in ſome Things, yet, why might he not write to the Papiſts at *Vienne* to put *Servetus* to Death for what was equally counted Hereſy by them both, and when they agreed as the moſt intimate Friends and Companions in the Lawfulneſs of putting Hereticks to Death. What *Calvin* ſays of the Abſurdity of an Intimacy and Conſpiracy with him their mortal Enemy, is no Abſurdity at all. *Herod* and *Pontius Pilate*, tho' Enemies, agreed in the Condemnation of the Son of God. Beſides, 'tis certain, that the Magiſtrates at *Vienne* had *Servetus*'s Manuſcripts ſent to them from *Geneva*, either by *Calvin*, or the Magiſtrates of that City; and when *Servetus* was afterwards apprehended at *Geneva*, the Magiſtrates there ſent a Meſſenger to *Vienne*, for a Copy of the Proceſs that had been there carried on againſt him, which that Meſſenger received, and actually brought back to *Geneva*. So that nothing is more evident, than that there was an Intimacy and Conſpiracy between the Proteſtants of *Geneva* and the Papiſts at *Vienne*, to take away the Life of poor *Servetus*; and that, though they were mortal Enemies in other Things, and as far different from one another as Chriſt and *Belial*, yet that they agreed harmoniouſly in the Doctrine and Practice of Perſecution, and were one in the Deſign and Endeavour of murthering this unhappy Phyſician. And though *Calvin* is pleaſed magiſterially to deny his having any Communication by Letters with the Papiſts at *Vienne*, yet, I think, his Denial far from ſufficient to remove the Suſpicion. He himſelf expreſly ſays, that many Perſons blamed him for not acting honourably in that Affair; and the Accuſation was ſupported by *Servetus*'s Complaint, and by what is a much ſtronger Evidence, by the original Papers and Letters which *Servetus* had ſent to *Calvin*, which were actually produced by the Judges at *Vienne*, and recited in the Sentence as part of the Foundation of his Condemnation. And as *Calvin*

himſelf never, as I can find, hath attempted to clear up theſe ſtrong Circumſtances, though he owed it to himſelf and his Friends, I think he can't well be excuſed from practiſing the Death of *Servetus* at *Vienne*, and lending his Aſſiſtance to the bloody Papiſts of that Place the more effectually to procure his Condemnation.

But he had the good Fortune to make his Eſcape from Impriſonment, and was, *June* 17, 1553. condemned for Contumacy, and burnt in Effigie by the Order of his Judges, having himſelf got ſafe to *Geneva*, where he was re-condemned, and actually burnt in Perſon, *October* 27. of the ſame Year, 1553. He had not been long in this City before *Calvin* ſpirited up one *Nicholas de la Fountain*, probably one of his Pupils, to make Information againſt him, wiſely avoiding it himſelf, becauſe, according to the Laws of *Geneva*, the Accuſer muſt ſubmit to Impriſonment with the Party he accuſes, till the Crime appears to have a ſolid Foundation and Proof. Upon this Information *Servetus* was apprehended and impriſoned. *Calvin* ingenuouſly owns[a], That this whole Affair was carried on at his Inſtance and Advice; and that, in order to bring *Servetus* to Reaſon, he himſelf found out the Party to accuſe him, and begin the Proceſs againſt him. And therefore, though, as the forementioned Author of the *Bibliotheque* for *Jan.* &c. 1729. obſerves, the Action after its Commencement was carried on according to the Courſe of Law; yet, as *Calvin* accuſed him for Hereſy, got him impriſon'd, and began the criminal Proceſs againſt him, he is anſwerable for all the Conſequences of his Trial, and was in reality the firſt and principal Author of his Death, eſpecially as the penal Laws againſt Hereticks ſeem at that Time to have been in force at *Geneva*, ſo that *Servetus* could not eſcape the Fire upon his Conviction of Hereſy.

When he was in Gaol he was treated with the ſame Rigor as if he had been detained in one of the Priſons of the Inquiſition. He was ſtripped of all Means of procuring himſelf the Conveniencies and Supplies he needed in his Confinement. They took from him ninety ſeven Pieces of Gold, a gold Chain worth twenty Crowns, ſix gold Rings, and at laſt put him into a deep Dungeon, where he was almoſt eaten up with Vermin. All this Cruelty was practiſed upon a Proteſtant, in the Proteſtant City of *Geneva*. Beſides this, he could never get a Proctor or Advocate to aſſiſt him, or help him in pleading his Cauſe, though he requeſted it, as being a Stranger, and ignorant of the Laws and Cuſtoms of the Country. *Calvin*, at the Requeſt of the Judges, drew up certain Propoſitions out of *Servetus*'s Books, repreſenting them as blaſphemous, full of Errors, and prophane Reveries, all repugnant to the Word of God, and to the common Conſent of the whole Church; and, indeed, appears to have been acquainted with, and conſulted in the whole Proceſs, and to have uſed all his Arts and Endeavours to prevent his coming off with Impunity.

[a] Unus ex Syndicis, me autore, in carcerem duci juſſit. Epiſt. ad *Sultzer*. Quum agnitus fuiſſet, retinendum putavi. *Nicholaus* meus ad capitale judicium ipſum vocavit. Epiſt. ad *Farrel*.

'Tis

'Tis but a poor and mean Excuse that *Calvin* makes for himself in this respect, when he says, *As to the Fact I will not deny, but that 'twas at my Prosecution he was imprison'd — But that after he was convicted of his Heresies I made no Instances for his being put to Death.* Epist. ad Farrel. But what need of Instances? He had already accused him, got him imprison'd, prosecuted in a criminal Court for the capital Crime of Heresy, and actually drew up forty Articles against him for Heresy, Blasphemy, and false Doctrine. When he was convicted of these Crimes the Law could not but take its Course, and his being burnt to Death was the necessary Consequence of his Conviction. What occasion was there then for *Calvin* to press his Execution, when the Laws themselves had adjudged him to the Flames? But even this Excuse, poor as it is, is not sincerely and honestly made. For *Calvin* was resolved to use all his Interest to destroy him. In his Letter to *Farrel* he expresly says[b], *I hope, at least, they will condemn him to Death, but not to the terrible one of being burnt.* And in another to *Sultzer*[c], *Since the Papists, in order to vindicate their own Superstitions cruelly shed innocent Blood, 'tis a Shame that Christian Magistrates should have no Courage at all in the Defence of certain Truth. ——— However, I will certify you of one Thing, that the City Treasurer is rightly determined, that he shall not escape that End which we wish him.* And in another to the Church at *Franckfort*[d], *The Author* (Servetus) *is put in Gaol by our Magistrates, and I hope he'll shortly suffer the Punishment he deserves.* Epist. ad Farrel. There was but one way possible for him to escape, and that was by bringing his Cause from the criminal Court, where he was prosecuted, before the Council of the two Hundred. And this *Calvin* vigorously opposed, and reflected on the Syndick himself for endeavouring it. He says, that he pretended Illness for three Days, and then came into Court to save that Wretch (*Servetus*) from Punishment, and was not ashamed to demand, that the Cognisance of the Affair should be referred to the two Hundred. However, he was unanimously condemned. Now, what great Difference is there between a Prosecutor's endeavouring to prevent the only Method by which a Criminal can be saved, and his actually pressing for his being put to Death? *Calvin* actually did the former, and yet would fain persuade us he had no hand in the latter. 'Tis much of a Piece with this, his desiring that the Rigor of *Servetus*'s Death might be mitigated; for as the Laws against Hereticks were in force at *Geneva*, the Tribunal that judged *Servetus* could not, after his Conviction of Heresy, absolve him from Death, nor change the manner of it, as *Calvin* says, he would have had it; and therefore his desiring that the Rigor of it might be abated, looks too much like the Practise of the Inquisitors, who

[b] Spero capitale saltem fore Judicium: Pœnæ vero atro citatem remitti cupio. Epist. ad *Farrel.* Cras ad supplicium ducetur. Genus mortis conati sumus mutare, sed frustra. Altera Epist. ad *Farrel.*

[c] Quum tam acres sint & animosi superstitionum suarum vindices Papistæ, ut atrociter sæviant ad fundendum innoxium sanguinem, pudeat Christianos Magistratus in tuenda certa veritate nihil prorsus habere animi. —— Tantum unius rei te admonitum volo, Quæstorem Urbis —— in hac causa recto esse animo, ut saltem exitum quem optamus non fugiat.

[d] Auctor ipse tenetur in carcere a Magistratu nostro, & propediem, ut spero, daturus est pœnas.

when they deliver over an Heretick to the ſecular Arm, beſeech it ſo to moderate the Rigor of the Sentence, as not to endanger Life or Limb.

This was the Part that *Calvin* acted in the Affair of *Servetus*, which I have repreſented in the moſt impartial Manner, as it appears to me; and am ſorry I am not able to wipe off ſo foul a Stain from the Memory of this otherwiſe excellent and learned Reformer. But when his Enemies charge him with acting meerly from Principles of Malice and Revenge in this matter, I think it an evident Abuſe and Calumny. He was, in his own Judgment, for perſecuting and deſtroying Hereticks, as appears from the Treatiſe he publiſhed in Vindication of this Practice, entitled [e], *A Declaration for maintaining the true Faith, held by all Chriſtians, concerning the Trinity of Perſons in One only God, by* John Calvin, *againſt the deteſtable Errors of* Michael Servetus, *a* Spaniard. *In which 'tis alſo proved, that it is lawful to puniſh Hereticks; and that this Wretch was juſtly executed in the City of* Geneva. Geneva, 1554. This Principle was maintained by almoſt all the Fathers and Biſhops of the Church ſince the three firſt Centuries, who eſteemed Hereſy as one of the worſt of Impieties, and thought it the Duty of the civil Magiſtrate to employ their Power for the Suppreſſion of it, and for the Support and Eſtabliſhment of the orthodox Faith. And though the firſt Reformers abhorred the Cruelty of the Papiſts towards the Proteſtants, they had nevertheleſs the ſame Abhorrence of what they counted Hereſy that the Papiſts had, and agreed with them in the Lawfulneſs of ſuppreſſing it by the civil Power. So that *Calvin* acted in this Affair from a Principle, though a miſtaken Principle of Conſcience, and had the Encouragement and Approbation of the moſt learned and pious Reformers of the Times he lived in. *Melancton*, in a Letter to *Bullinger*, ſays, *I have read alſo what you have written concerning the Blaſphemies of* Servetus, *and I approve your Piety and Judgment. I think alſo, that the Senate of* Geneva *hath done right, that they have put to Death that obſtinate Perſon who would not ceaſe to blaſpheme; and I wonder that there are any who diſapprove that Severity.* He affirms the ſame alſo in another Letter to *Calvin* himſelf. *Bucer* alſo ſaid publickly in his Sermon, that *he ought to have his Bowels pulled out, and be torn in pieces*, as *Calvin* relates it in his Letter to *Sultzer*. *Farrel* in a Letter to *Calvin* ſays, that *he deſerved to die ten Thouſand Deaths, that it would be a Piece of Cruelty, and an Injuſtice to Chriſt, and the Doctrine of Piety, for Magiſtrates not to take notice of the horrible Blaſphemies of that wicked Heretick. And he hoped God would ſo order it, that as the Magiſtrates of* Geneva *were very Praiſe-worthy for puniſhing Thieves and ſacrilegious Perſons, ſo they would behave themſelves well in the Affair of* Servetus, *by putting him to Death, who had ſo long obſtinately perſiſted in his Hereſies, and deſtroy'd ſo many Perſons by them.*

The Paſtors of the Church at *Baſil*, in their Letter to the Syndicks and Senate of *Geneva*, expreſs their Joy for the Apprehenſion of *Servetus*, and adviſe

[e] Declaration pour maintenir le vraye Foy que tiennent tous Chretiens de la Trinité des Perſonnes en un ſeul Dieu; par *Jean Calvin*, contre les Erreurs deteſtables de *Michael Servetus*, *Eſpagnol*, où il eſt auſſi monſtré qu'il eſt licite de punir les Heretiques: & qu' a bon droict ces Meſchant a été executé par Juſtice en la ville de *Geneve*. A *Geneve*, 1554.

them

them first to *use all Endeavours to recover him*; *but that if he persisted in his Perverseness, they should punish him according to their Office, and the Power they had received from God, to prevent his giving any Disturbance to the Church, and lest the latter end should be worse than the first.* The Ministers of the Church of *Bern* were of the same Opinion, and in their Letter to the Magistrates of *Geneva* say, *We pray the Lord that he would give you the Spirit of Prudence, Counsel and Strength, to remove this Plague from the Churches, both* your *own and others*, and advise them *to neglect nothing that may be judged unworthy a Christian Magistrate to omit.* The Ministers of *Zurich* give much the same Advice, and thought that there was need of a great deal of Diligence in the Affair; *especially as the reformed Churches were evil thought of, amongst other Reasons, for this, as being themselves heretical, and Favourers of Hereticks. But that, as the Providence of God had given them an Opportunity of wiping off so evil a Suspicion, and preventing the farther spreading of so contagious a Poison, they did not doubt but their Excellencies would be careful to improve it.* Those of *Scaffhusen* subscribed to the Judgment of those of *Zurich*, and declare, that they did not doubt, but that their Prudence would put a stop to the Attempts of *Servetus*, lest his Blasphemies, as a Canker, should eat up the Members of Christ; adding these remarkable Words, *That to endeavour to oppose his Dreams by a train of Reasoning, what would it be, but to grow mad with a Madman.*

These Extracts, which are taken out of the Letters printed at the End of *Calvin*'s Institutions, clearly demonstrate, that he acted seriously and deliberately in the Affair of *Servetus*, and that he consulted the neighbouring Churches, and had their Opinion of the Lawfulness and Expediency of putting him to Death for his Heresies. And though it doth not wholly excuse his Fault, yet it ought in Justice to be allowed as an Abatement and Extenuation of it; and, I think, evidently proves, what his Enemies are very unwilling to allow, that he was not transported by Rage and Fury, and did not act meerly from the Dictates of Envy and Malice, but from a mistaken Zeal against what he accounted Blasphemy and Heresy, and with the concurrent Advice of his Brethren in the Ministry, and Fellow-Labourers in the great Work of the Reformation. And I think his eminent Services to the Church of God, both by his Preaching and Writings, ought, notwithstanding all his Failings, to secure to his Memory the Honour and Respect that is due to it. For he deserved well of all the reformed Churches, and was an eminent Instrument in the Hand of Providence, in promoting the great and glorious Work of saving Men from the gross Errors, Superstitions, and Idolatries of the *Romish* Church. And as I thought my self obliged impartially to represent these Things as they appear'd to me, I hope all who love to distinguish themselves by *Calvin*'s Name, will be careful not to imitate him in this great Blemish of his Life, which, in reality, hath tarnish'd a Character, that would otherwise have appeared amongst the first and brightest of the Age he lived in.

In the Year 1632. after *Calvin*'s Death, one *Nicholas Anthoine* was condemned also by the Council of *Geneva* to be first hanged, and afterwards burnt,

becauſe, that having forgotten the Fear of God, he had committed the Crime of Apoſtacy and High-Treaſon againſt God, by having oppoſed the Holy Trinity, denied our Lord and Saviour Jeſus Chriſt, blaſphemed his holy Name, renounced his Baptiſm, and the like.

Bern. Beza in vit. Calv. B. Aret. Hiſt. Val. Gent.

Valentinus Gentilis, a Native of *Coſentia* in *Italy*, had the Misfortune alſo to fall into ſome heterodox Opinions concerning the Trinity, and held, that the Father alone was αὐτόθεος, God of himſelf, ἀγέννητος, unbegotten, *Eſſentiator*, the giver of Eſſence to all other Beings; but that the Son was *Eſſentiatus*, of a derived Eſſence from the Father, and therefore not αὐτόθεος, or God of himſelf, though at the ſame Time he allowed him to be truly God. He held much the ſame as to the Holy Ghoſt, making them Three eternal Spirits, diſtinguiſh'd by a gradual and due Subordinat on, reſerving the Monarchy to the Father, whom he ſtiled the One only God. Being forced to fly his native Country on Account of his Religion he came to *Geneva*, where there was a Church of *Italian* Refugees, ſeveral of whom, ſuch as *G. Blandrata*, a Phyſician, *Gribaldus* a Lawyer, and *Paulus Alciatus*, differ'd from the commonly received Notions of the Trinity. When their Heterodoxes came to be known at *Geneva*, they were cited before the Senators, Miniſters, and Preſbyters; and being heard in their own Defence, were refuted by *Calvin*, and all ſubſcribed to the orthodox Faith. But *V. Gentilis* having after this endeavoured to propagate his own Opinions, he was again apprehended, and forced by *Calvin* and others to a publick Abjuration, and condemned *An.* 1558. to an exemplary Penance, *viz.* "That he ſhould be ſtripped cloſe "to his Shirt, then bare-foot and bare-headed ſhould carry in his Hand a "lighted Torch, and beg God and the Court's Pardon on his Knees, by con-"feſſing himſelf maliciouſly and wickedly to have ſpread Abroad a falſe and "heretical Doctrine; but that he did now from his Heart deteſt and abhor "thoſe abominable, lying, and blaſphemous Books, he had compoſed in its "Defence; in teſtimony of which he was to caſt them, with his own Hands, "into the Flames, there to be burnt to Aſhes. And for more ample Satis-"faction, he was enjoined to be led through all the Streets of *Geneva*, at the "ſound of Trumpet, in his penitential Habit, and ſtrictly commanded not "to depart the City without Permiſſion." And this Penance he actually underwent. But having found means to make his Eſcape, he came at laſt to *Gaium*, a Prefecture, ſubject to the Canton of *Bern*, where he was ſeized and impriſoned by the Governor, who immediately ſent an Account of his Apprehenſion to the Senate of *Bern*, who ordered him to be brought Priſoner to that City, where they put him in Gaol. After they had ſeized all his Books and Papers, they collected ſeveral Articles, with the Heads of an Indictment out of them to be preferred againſt him. Amongſt others theſe were two, 1. *That he diſſented from us and all the Orthodox in the Doctrine of the Trinity.* And, 2. *That his Writings contain'd many impious Blaſphemies, concerning the Trinity.* And becauſe he continued obſtinate in his Opinions, notwithſtanding the Endeavours of the Divines to convert him, he was condemned by the Senate, for his Blaſphemies againſt the Son of God, and the glorious Myſtery of the Trinity,

to be beheaded, which Sentence was executed on him in *September*, *Anno* 1566.

At *Basil* also Heresy was a Crime punishable with Death, since the Reformation, as appears from the Treatment of the dead Body of *David George*, an enthusiastical Anabaptist. Having left *Holland* he went to *Basil*, and settled there as one that was banished out of his Country for the sake of his Religion, propagating his own Doctrines by Letters, Books, and Messengers in *Holland*. But his Errors being discovered after his Death, he was taken out of his Grave, and together with his Books and Pictures burnt to Ashes, by order of the Magistrates, at the Place of Execution, without the Walls of *Basil*, *May* 13, 1559. His Opinions were first extracted from the printed Books and Manuscript Papers found in his House, and he declared an Arch-Heretick.

Basil. Brandt. Hist. Book 3. p. 77.

Zurich also furnishes us with an Instance of great Cruelty towards an Anabaptist. A severe Edict was published against them, in which there was a Penalty of a silver Mark, about four Shillings *English* Money, set upon all such as should suffer themselves to be re-baptized, or should with-hold Baptism from their Children. And it was further declared, That those who openly opposed this Order, should be yet more severely treated. Accordingly one *Felix* was drowned at *Zurich* upon the Sentence pronounced by *Zuinglius*, in these four Words, *Qui iterum mergit, mergatur. He that redips let him be drowned.* This happen'd in the Year 1526. About the same Time also, and since, there were some more of them put to Death. From the same Place also *Ochinus* was banished, in his old Age, in the Depth of Winter, together with his Children, because he was an *Arian*, and defended Poligamy, if *Beza*'s Account of him be true.

Zurich. Book 2. p. 57.

Bez. Epist. 1.

Lubieniecius, a *Polish* Unitarian, was through the Practices of the *Calvinists*, banished with his Brethren from *Poland*, his native Country, and forced to leave several Protestant Cities of *Germany*, to which he had fled for Refuge, particularly *Stetin*, *Frederickstadt*, and *Hamburgh*, through the Practices of the *Lutheran* Divines, who were against all Toleration. At *Hamburgh* he received the Orders of the Magistrates of the City to depart the Place on his Death-bed; and when his dead Body was carried to *Altenau* to be interr'd, though the Preachers could not, as they endeavour'd, prevent his being buried in the Church, yet they did actually prevent the usual funeral Honours being paid him. *John Sylvanus*, Superintendant of the Church of *Heidelberg*, was put to Death by order of *Frederick* Elector *Palatine*, *An.* 1571. being accused of *Arianism*.

Poland. Vit. Lub. præf. Hist. Reformat. Polon.

Lub. Hist. l. 2. c. 5.

If we pass over into *Holland*, we shall also find, that the Reformers there were most of them in the Principles and Measures of Persecution, and managed their Differences with that Heat and Fury as gave great Advantages to the Papists, their common Enemies. In the very Infancy of the Reformation the *Lutherans* and *Calvinists* condemned each other for their supposed Heterodoxy in the Affair of the Sacrament, and looked upon compliance and mutual Toleration to be Things intolerable. These Differences were kept up principally

Holland.

by

by the Clergy of each Party. The Prince of *Orange*, and States of *Holland*, who were heartily inclined to the Reformation, were not for confining their Protection to any particular Set of Principles or Opinions, but for granting an universal Indulgence in all Matters of Religion, aiming at Peace and mutual Forbearance, and to open the Church as wide as possible for all Christians of unblameable Lives; whereas the Clergy being biassed by their Passions and Inclinations for those Masters, in whose Writings they had been instructed, endeavoured with all their Might to establish and conciliate Authority to their respective Opinions; aiming only at Decisions and Definitions, and shutting up the Church by Limitations in many doubtful and disputable Articles; so that the Disturbances which were raised, and the Severities which were used upon the Account of Religion, proceeded from the Bigotry of the Clergy, contrary to the Desire and Intention of the civil Magistrate.

Brandt. Hist. V. 2. l. 17.

Before the Ministers of the reformed Party were engaged in the Controversy with *Arminius*, their Zeal was continually exerting it self against the Anabaptists, whom they declared to be excommunicated and cut off from the Church, and endeavoured to convert by Violence and Force, prohibiting them from preaching under Fines, and banishing them their Country, upon account of their Opinions. And the better to colour these Proceedings, some of them wrote in defence of Persecution; or which is the same Thing, against the Toleration of any Religion or Opinions different from their own; and for the better Support of Orthodoxy, they would have had the Synods ordain, that all Church Officers should renew their Subscriptions to the Confession and Catechism every Year, that hereby they might the better know who had changed their Sentiments, and differed from the received Faith. This Practice was perfectly agreeable to the *Geneva* Discipline; *Calvin* himself, as hath been shewn, being in Judgment for persecuting Hereticks; and *Beza* having wrote a Treatise, *An.* 1600. to prove the Lawfulness of punishing them. This Book was translated from the *Latin*, into the *Low Dutch* Language by *Bogerman*, afterwards President of the Synod of *Dort*, and published with a Dedication, and Recommendation of it to the Magistrates. The Consequence of this was, that very severe Placarts were published against the Anabaptists in *Friesland* and *Groningen*, whereby they were forbidden to preach; and all Persons prohibited from letting their Houses and Grounds to them, under the Penalty of a large Fine, or Confinement to Bread and Water for fourteen Days. If they offended the third Time, they were to be banished the City, and the Jurisdiction thereof. Whosoever was discovered to rebaptize any Person should forfeit twenty Dollars; and upon a second Conviction be put to Bread and Water, and then be banished. Unbaptised Children were made incapable of inheriting; and if any married out of the reformed Church, he was declared incapable of inheriting any Estate, and the Children made illegitimate.

But the Controversy that made the greatest Noise, and produced the most remarkable Effects, was that carried on between the *Calvinists* and *Arminians*. *Jacobus Arminius*, one of the Professors of Divinity at *Leyden*, disputing in his turn about the Doctrine of Predestination, advanced several Things differing from

from the Opinions of *Calvin* on this Article, and was in a few Months after warmly opposed by *Gomarus* his Collegue, who held, That *'twas appointed by an eternal Decree of God, who amongst Mankind shall be saved, and who shall be damned.* This was indeed the Sentiment of most of the Clergy of the *United Provinces*, who therefore endeavoured to run down *Arminius* and his Doctrine with the greatest Zeal, in their private Conversations, publick Disputes, and in their very Sermons to their Congregations, charging him with Innovations, and of being a Follower of the ancient heretical Monk *Pelagius*; whereas the Government was more inclinable to *Arminius*'s Scheme, as being less rigid in its Nature, and more intelligible by the People, and endeavoured all they could to prevent these Differences of the Clergy from breaking out into an open Quarrel, to the Disturbance of the publick Peace. But the Ministers of the Predestinarian Party would enter into no Treaty for Peace: The Remonstrants were the Objects of their furious Zeal, whom they called *Mamalukes, Devils, and Plagues*, animating the Magistrates to extirpate and destroy them, and crying out from the Pulpits, *We must go through thick and thin, without fearing to stick in the Mire: We know what* Elijah *did to* Baal's *Priests*, And when the Time drew near for the Election of new Magistrates, they prayed to God for such Men, *as would be zealous even to Blood, though it were to cost the whole Trade of their Cities*. They also accused them of keeping up a Correspondence with the Jesuits and *Spaniards*, and of a Design to betray their Country to them.

These Proceedings gave great Disturbance to the Magistrates, especially as many of the Clergy took great Liberties with them, furiously inveighing against them in their Sermons as Enemies to the Church, and Persecutors; as Libertines and Free-Thinkers, who hated the sincere Ministers of God, and endeavoured to turn them out of their Office. This Conduct, together with their obstinate Refusal of all Measures of Accommodation, and Peace with the Remonstrants, so incensed the Magistrates, that in several Cities they suspended some of the warmest and most seditious of them, and prohibited them from the publick Exercises of their ministerial Function; particularly *Gezelius* of *Roterdam*, and afterwards *Rosæus*, Minister at the *Hague*, for endeavouring to make a Schism in the Church, and exhorting the People to break off Communion with their Brethren. Being thus discarded, they assumed to themselves the Name of the persecuted Church, and met together in private Houses, absolutely refusing all Communion with the Remonstrant Ministers and Party, in spite of all the Attempts made use of to reconcile and unite them.

What the Ministers of the Contraremonstrant Party aimed at, was the holding a national Council, which at length, after a long Opposition, was agreed to in the Assembly of the *States General*, who appointed *Dort* for the Place of the Meeting. Prince *Maurice* of *Orange*, the Stadholder, effectually prepared Matters for holding the said Assembly; and as he declared himself openly for the Contraremonstrant Party, not for that he was of their Opinions in Religion, being rather inclined to those of *Arminius*, but because he thought them the best

Friends to his Family, he took Care that the Council should consist of such Persons as were well affected to them. In order to this his Excellency changed the Government of most of the Towns of *Holland*, deposed those Magistrates who were of the Remonstrant Persuasion, or that favoured them in the Business of the Toleration, and filled up their Places with Contraremonstrants, or such as promoted their Interests, making use of the Troops of the States to obviate all Opposition. The Consequence of this was the Imprisonment of several great Men of the Remonstrant Persuasion, such as the Advocate *Oldenbarnevelt*, *Grotius* and others; and the Suspension, or total Deprivation of a considerable Number of the Remonstrant Clergy, such as *Vitenbogart* of the *Hague*, *Grovinckhovius* of *Roterdam*, *Grevius* and others, by particular Synods met together for that purpose, and to prepare Things, and appoint Persons for the ensuing national one at *Dort*. The Persons fixed on were generally the most violent of the Contraremonstrant Party, and who had publickly declared, that they would not enter into Communion with those who differ'd from them, nor agree to any Terms of Moderation and Peace. There were also several foreign Divines summoned to this Council, who were most of them in the *Calvinistick* Scheme, and professed Enemies to the *Arminians*. The Lay Commissioners also, who were chosen by the States, were most of them very partial Contraremonstrants, and two or three of them, who seemed more impartial than the others, were hardly suffered to speak; and if they did, were presently suspected, and represented by Letters sent to the States, and Prince *Maurice* at the *Hague*, as Persons that favoured the Remonstrants, which was then consider'd as a Crime against the Government, insomuch that by these Insinuations, they were in danger of being stripped of all their Employments. The first Session and Opening of this venerable Assembly, was *Nov.* 13, 1618. *John Bogerman* was chosen President of it; the same worthy and moderate Divine, who had before translated into *Low Dutch Beza*'s Treatise, to prove the Lawfulness of punishing Hereticks, with a Preface Recommendatory to the civil Magistrate; chosen, not by the whole Synod, but by the Low Country Divines only, the Foreigners not being allowed any Share in the Election.

The Council of Dort, A. C. 1618.

At the fifth Session the Remonstrants petitioned the Synod, That a competent Number of their Friends might have leave to appear before them, and that the Citation might be sent to the whole Body, and not to any single Person, to the End that they might be at liberty to send such as they should judge best qualified to defend their Cause; and particularly insisted, that *Grovinckhovius* and *Goulart* might be of the Number. One would have thought that so equitable a Request should have been readily granted. But they were told, that it could not be allowed that the Remonstrants should pass for a distinct Body, or make any Deputation of Persons in their common Name to treat of their Affairs; and agreeably to this Declaration the Summons that were given out, were not sent to the Remonstrants as a Body or Part of the Synod, but to such particular Persons as the Synod thought fit to chose out of them; which was little less than citing them as Criminals before a Body of Men,

Men, which chiefly consisted of their professed Adversaries. When they first appeared in the Synod, and *Episcopius* in the Name of the rest of them, talked of entring into a regular Conference about the Points in difference; they were immediately given to understand, that no Conference was intended, but that their only Business was to deliver their Sentiments, and humbly to wait for the Judgment of the Council concerning them. *Episcopius*, in the Name of his Brethren, declared, that they did not own the Synod for their lawful Judges, because most of that Body were their avowed Enemies, and Fomenters and Promoters of the unhappy Schism amongst them; upon which they were immediately reprimanded by the President, for impeaching and arraigning their Authority, and presuming to prescribe Laws to those whom the *States General* had appointed for their Judges. The Divines of *Geneva* added upon this Head, *That if People obstinately refused to submit to the lawful Determinations of the Church, there then remained two Methods to be used against them; the one, that the civil Magistrate might stretch out his Arm of Compulsion; the other, that the Church might exert her Power, in order to separate and cut off by a publick Sentence, those who violated the Laws of God.* After many Debates on this Head, between the Synod and the Remonstrants, who adhered to their Resolution, of not owning the Synod for their Judges, they were turned out of it by *Bogerman* the President with great Insolence and Fury; to the high Dissatisfaction of many of the foreign Divines.

Act. Syn. Dord. Sess. 22.

After the Holy Synod had thus rid themselves of the Remonstrants, whose Learning and good Sense would have rendered them exceeding troublesome to this Assembly, they proceeded to fix the Faith; and as they had no Opposition to fear, and were almost all of one side, at least in the main Points, they agreed in their Articles and Canons; and in their Sentence against the Remonstrant Clergy who had been cited to appear before them; which was to this Effect: "They beseeched and charged in the Name of Christ, all and singular "the Ministers of the Churches throughout the united *Netherlands*, &c. that "they forsake and abandon the well known five Articles of the Remonstrants, "as being false, and no other than Secret Magazines of Errors —— And "whereas some, who are gone out from amongst us, calling themselves Remonstrants, have out of private Views and Ends, unlawfully violated the "Discipline and Government of the Church —— have not only trumped up "old Errors, but hammered out new ones too —— have blackened and rendered odious the established Doctrine of the Church with impudent Slanders and Calumnies, without end or measure, have filled all Places with "Scandal, Discord, Scruples, Troubles of Conscience —— all which heinous "Offences ought to be restrained and punished in Clergymen with the severest "Censures: Therefore this national Synod —— being assured of its own "Authority —— doth hereby declare and determine, that those Ministers, "who have acted in the Churches as Heads of Factions, and Teachers of Errors, are guilty, and convicted of having violated our Holy Religion, "having made a Rent in the Unity of the Church, and given very great Scandal: And as for those who were cited before this Synod, that they are be-

"sides guilty of intolerable Disobedience ——— to the Commands of the "venerable Synod: For all which Reasons the Synod doth in the first Place, "discharge the aforesaid cited Persons from all ecclesiastical Administrations, "and deprive them of their Offices, judging them likewise unworthy of any "academical Employment —— And as for the rest of the Remonstrant Clergy, they are hereby recommended to the Provincial Synods, Classes and "Consistories —— who are to take the utmost care —— that the Patrons of "Errors be prudently discovered; that all obstinate, clamorous, and factious "Disturbers of the Church, under their Jurisdiction, be forthwith deprived "of their ecclesiastical and academical Offices —— And they the said provincial Synods are therefore exhorted —— to take a particular Care, that they "admit none into the Ministry who shall refuse to subscribe, or promise to "preach the Doctrine asserted in these Synodical Decrees; and that they suffer none to continue in the Ministry, by whose publick Dissent the Doctrine "which hath been so unanimously approved by all the Members of this Synod, "the Harmony of the Clergy, and the Peace of the Church, may be again "disturbed —— And they most earnestly and humbly beseech their gracious "God, that their High Mightinesses may suffer and ordain this wholesome "Doctrine, which the Synod hath faithfully expressed —— to be maintained "alone, and in its Purity within their Provinces —— and restrain turbulent "and unruly Spirits —— and may likewise put in Execution the Sentence "pronounced against the above-mentioned Persons —— and ratify and con-"firm the Decrees of the Synod by their Authority.

The States readily obliged them in this Christian and Charitable Request; for as soon as the Synod was concluded the old Advocate *Barnevelt* was beheaded, who had been a zealous and hearty Friend to the Remonstrants and their Principles; and *Grotius* condemned to perpetual Imprisonment; and because the cited Ministers would not promise wholly, and always to abstain from the Exercise of their ministerial Functions, the States passed a Resolution for the banishing of them, on pain if they did not submit to it, of being treated as Disturbers of the publick Peace. And though they only begged a respite of the Sentence for a few Days, to put their Affairs in order, and to provide themselves with a little Money to support themselves and Families in their Banishment, even this was unmercifully denied them, and they were hurried away next Morning by four a Clock, as though they had been Enemies to the Religion and Liberties of their Country.

Such was the Effect of this famous Presbyterian Synod, who behaved themselves as tyrannically towards their Brethren, as any prelatical Council whatsoever could do; and to the Honour of the Church of *England* it must be said, that they owned their Synodical Power, and concurred by their Deputies, *Carleton* Bishop of *Landaff*, *Hall*, *Davenant*, and *Ward*, in condemning the Remonstrants, in excommunicating and depriving them, and turning them out of their Churches, and in establishing both the Discipline and Doctrines of *Geneva* in the *Netherlands*. For after the Council was ended, the Remonstrants were every where driven out of their Churches, and prohibited from holding any private Meetings, and many

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of them baniſhed on this very account. The Reader will find a very particular Relation of theſe Tranſactions, in the learned *Gerard Brandt*'s Hiſtory of the Reformation of the *Low Countries*, to which I muſt refer him.

If we look into our own Country we ſhall find numerous Proofs of the ſame antichriſtian Spirit and Practice. Even our firſt Reformers, who had ſeen the Flames which the Papiſts had kindled againſt their Brethren, yet lighted Fires themſelves to conſume thoſe who differed from them. *Cranmer*'s Hands were ſtained with the Blood of ſeveral. He had a Share in the Proſecution and Condemnation of that pious and excellent Martyr *John Lambert*; and conſented to the Death of *Ann Askew*, who were burnt for denying the corporal Preſence, which, though *Cranmer* then believed, he ſaw afterwards reaſon to deny. In the Year 1549. *Joan Bocher* was condemned for ſome enthuſiaſtical Opinions about Chriſt, and delivered over to the ſecular Power. The Sentence being returned to the Council, King *Edward* VI. was moved to ſign a Warrant for her being burnt, but could not be prevailed with to do it. *Cranmer* endeavoured to perſuade him by ſuch Arguments as rather ſilenced than ſatisfied the young King. So he ſet his Hand to the Warrant with Tears in his Eyes, ſaying to the Archbiſhop, that if he did wrong, ſince it was in Submiſſion to his Authority, he ſhould anſwer for it to God. Though this ſtruck *Cranmer* with Horror, yet he at laſt put the Sentence in Execution againſt her. About two Years after one *George Van Pare*, a *Dutch* Man, was accuſed before them, for ſaying, That God the Father was only God, and that Chriſt was not very God. And though he was a Perſon of a very holy Life, yet becauſe he would not abjure, he was condemned for Hereſy, and burnt in *Smithfield*. The Archbiſhop himſelf was afterwards burnt for Hereſy, which, as *Fox* obſerved, many looked on a juſt Retaliation from the Providence of God, for the cruel Severities he had uſed towards others.

Great-Britain.

Burnet's Hiſt. Ref. Vol. II. p. 106, 107.

The Controverſy about the Popiſh Habits was one of the firſt that aroſe amongſt the *Engliſh* Reformers. *Cranmer* and *Ridley* were zealous for the Uſe of them, whilſt other very pious and learned Divines were for laying them aſide, as the Badges of Idolatry and Antichriſt. Amongſt theſe was Doctor *Hooper*, nominated to the Biſhoprick of *Glouceſter*; but becauſe he refuſed to be conſecrated in the old Veſtments, he was, by Order of Council firſt ſilenced, and then confined to his own Houſe; and afterwards, by *Cranmer*'s Means, committed to the *Fleet* Priſon, where he continued ſeveral Months.

In the beginning of Queen *Elizabeth*'s Reign, *A. C.* 1559. an Act paſſed for the Uniformity of Common Prayer, and Service in the Church, and Adminiſtration of the Sacraments, by which the Queen and Biſhops were empowred to ordain ſuch Ceremonies in Worſhip, as they ſhould think for the Honour of God, and the Edification of his Church. This Act was rigorouſly preſſed, and great Severities uſed to ſuch as could not comply with it. *Parker* Archbiſhop of *Canterbury*, made the Clergy ſubſcribe to uſe the preſcribed Rites and Habits, and cited before him many of the moſt famous Divines who ſcrupled them, and would allow none to be preſented to Livings, or preferred in the Church, without an intire Conformity. He ſummoned the whole Body

Queen Elizabeth.

of

of the *London* Paſtors and Curates to appear before him at *Lambeth*, and immediately ſuſpended Thirty ſeven, who refuſed to ſubſcribe to the Unity of Apparel, and ſignified to them, that within three Months they ſhould be totally deprived if they would not conform. So that many Churches were ſhut up; and though the People were ready to mutiny for want of Miniſters, yet the Archbiſhop was deaf to all their Complaints, and in his great Goodneſs and Piety was reſolved they ſhould have no Sacraments or Sermons without the Surplice and the Cap. And in order to prevent all Oppoſition to Church Tyranny, the *Star Chamber* publiſhed a Decree for Sealing up the Preſs, and prohibiting any Perſon to print or publiſh any Book againſt the Queen's Injunctions, or againſt the Meaning of them. This Decree was ſigned by the Biſhops of *Canterbury* and *London*.

This rigid and fanatical Zeal for Habits and Ceremonies, cauſed the Puritans to ſeparate from the Eſtabliſhed Church, and to hold private Aſſemblies for Worſhip. But the Queen and her Prelates ſoon made them feel their Vengeance. Their Meetings were diſturbed, and thoſe who attended them apprehended, and ſent in large Numbers, Men and Women, to *Bridewell*, for Conviction. Others were cited into the *Spiritual Courts*, and not diſcharged till after long Attendance and great Charges. Subſcriptions to Articles of Faith were violently preſſed upon the Clergy, and about one Hundred of them were deprived, *Anno* 1572. for refuſing to ſubmit to them. Some were cloſely impriſoned, and died in Gaol, through Poverty and Want. And that ſerious Piety, and Chriſtian Knowledge might gain Ground, as well as Uniformity, the Biſhops, by order of the Queen, put down the Propheſyings of the Clergy, *Anno* 1574. who were forbid to aſſemble, as they had done for ſome Years, to diſcourſe with one another upon religious Subjects and Sermons; and as ſome ſerious Perſons of the Laity were uſed to meet on Holy Days, or after they had done work, to read the Scriptures, and to improve themſelves in Chriſtian Knowledge; the Parſons of the Pariſhes were ſent for, and ordered to ſuppreſs them. Eleven *Dutch* Men, who were Anabaptiſts, were condemned in the Conſiſtory of St. *Paul* to the Fire, for Hereſy; nine of whom were baniſhed, and two of them burnt alive in *Smithfield*. In the Year 1583. *Copping* and *Thacker*, two Puritan Miniſters, were hanged for Non-Conformity. It would be endleſs to go through all the Severities that were uſed in this Reign upon the Account of Religion. As the Queen was of a very high and arbitrary Temper, ſhe preſſed Uniformity with great Violence, and found Biſhops enough, *Parker*, *Aylmer*, *Whitgift*, and others, to juſtify and promote her Meaſures; who either enter'd their Sees with perſecuting Principles, or embraced them ſoon after their Entrance, as beſt befitting the Ends of their Promotion. Silencings, Deprivations, Impriſonments, Gibbets, and Stakes, upon the Account of Religion, were ſome of the powerful Reaſonings of thoſe Times. The Biſhops rioted in Power, and many of them abuſed it to the moſt cruel Oppreſſions. The Cries of innocent Priſoners, widowed Wives, and ſtarving Children, made no Impreſſion on their Hearts. Piety and Learning with them were void of Merit. Refuſal of

Subſcriptions, and Non-Conformity were Crimes never to be forgiven. A particular Account of theſe Things may be ſeen in Mr. *Neal*'s excellent Hiſtory of the Puritans, who hath done Juſtice to that Subject. I ſhall only add, That the Court of High-Commiſſion eſtabliſhed in this Reign, by the Inſtigation of *Whitgift*, Archbiſhop of *Canterbury*, by which the Commiſſioners were impowered to enquire into all Miſdemeanors, by all ſuch Ways and Means as they could deviſe, and thought neceſſary, to examine Perſons upon Oath, and to puniſh thoſe who refuſed the Oath by Fine or Impriſonment, according to their Diſcretion, was an high Stretch of the Prerogative, and had a very near Reſemblance to the Courts of Inquiſition, and the Cruelties that were practiſed in it, and the exorbitant Fines that were levied by it in the two following Reigns, made it the univerſal Abhorrence of the Nation, ſo that it was diſſolved by Parliament, with a Clauſe that no ſuch Court ſhould be erected for the future.

King *James* I. who was bred up in the Kirk of *Scotland*, which profeſſed the Faith and Diſcipline of thoſe called Puritans in *England*; and though he bleſſed God, *For honouring him to be King over ſuch a Kirk, the ſincereſt Kirk in the World*, yet, upon his Acceſſion to the *Engliſh* Throne, ſoon ſhewed his Averſion to the Conſtitution of that Kirk; and to their Brethren, the Puritans in *England*. Theſe were ſolicitous for a farther Reformation in the Church, which the Biſhops oppoſed, inſtilling this Maxim into the King, *No Biſhop no King*; which, as ſtale and falſe a Maxim as it is, hath been lately trumpt up, and publickly recommended, in a Sermon on the 30th of *January*. In the Conference at *Hampton* Court his Majeſty not only ſided with the Biſhops, but aſſured the Puritan Miniſters, who were ſent for to it, that *he had not called the Aſſembly together for any Innovations, for that he acknowledged the Government Eccleſiaſtical, as it then was, to have been approved by God himſelf*; giving them to underſtand, that *if they did not conform, he would either hurry them out of the Kingdom, or elſe do worſe.* And theſe Reaſonings of the King's were ſo ſtrong, that *Whitgift*, Archbiſhop of *Canterbury*, with an impious and ſordid Flattery ſaid, *He was verily perſuaded that the King ſpoke by the Spirit of God.* 'Twas no wonder that the Biſhops, thus ſupported by an inſpired King, ſhould get an eaſy Victory over the Puritans, which poſſibly they would not have done, had his Majeſty been abſent, and the Aids of his Inſpiration withdrawn, ſince the Archbiſhop did not pretend that himſelf or his Brethren had any ſhare of it. But having thus gotten the Victory, they ſtrove by many Methods of Violence to maintain it; and uſed ſuch Severities towards the Non-Conformiſts, that they were forced to ſeek Refuge in foreign Countries. The Truth is, this Conference at *Hampton* Court was never intended to ſatiſfy the Puritans, but as a Blind to introduce Epiſcopacy into *Scotland*, and to ſubvert the Conſtitution and Eſtabliſhment of that Church.

James I.

Wilſon.

Heylin's *Life of* Laud, p. 58.

His Majeſty, in one of his Speeches to his Parliament, tells them, that *he was never violent and unreaſonable in his Profeſſion of Religion.* I believe all Mankind will now acquit him of any violent and unreaſonable Attachment to the Proteſtant Religion and Liberties. He added in the ſame Speech, *it* may be queſtion-

questioned, whether by Inspiration of the Spirit, *I acknowledge the* Roman *Church to be our Mother Church, although defiled with some Infirmities and Corruptions.* And he did behave as a very dutiful Son of that Mother Church, by the many Favours he shewed to the Papists during his Reign, by his Proclamations for Uniformity in Religion, and encouraging and supporting his Bishops in their Persecutions of such as differ'd from, or could not submit to them. *Bancroft*, promoted to the Archbishoprick of *Canterbury*, was, as the Historian calls him, *A sturdy Piece*, a cruel and inflexible Persecutor, treating the Non-Conformists with the greatest Rigor and Severity; and who, as *Heylin* tells us, *was resolved to break them, if they would not bow.* He put the Canons and Constitutions agreed on *A. C.* 1603. furiously into Execution, and such as stood out against them, he either deprived or silenced. And indeed, as the aforementioned Author says, *Who could stand against a Man of such a Spirit, armed with Authority, having the Law on his Side, and the King to his Friend.* During his being Archbishop he deprived, silenced, suspended, and admonished, above three Hundred Ministers. The Violences he and his Brethren used in the High-Commission Courts, render'd it a publick Grievance. *Every Man must conform to the Episcopal Way, and quit his Hold in Opinion or Safety. That Court was the Touchstone, to try whether Men were Metal for their Stamp; and if they were not soft enough to take such Impressions as were put upon them, they were made malleable there, or else they could not pass current. This was the beginning of that Mischief, which when it came to a full Ripeness, made such a bloody Tincture in both Kingdoms, as never will be got out of the Bishop's Lawn Sleeves.* But nothing displeased the sober Part of the Nation more, than the Publication of the Book of Sports, which the Bishops procured from the King, and which came out with a Command, enjoining all Ministers to read it to their Parishioners, and to approve of it; and those who did not, were brought into the High-Commission, imprisoned, and suspended; this Book being only a Trap to catch some conscientious Men, that they could not otherwise, with all their Cunning, ensnare. *These, and such like Machinations of the Bishops*, says my Author, *to maintain their temporal Greatness, Ease, and Plenty, made the Stones in the Walls of their Palaces, and the Beam in the Timber afterwards cry out, moulder away, and come to nothing*; and caused their Light to go out *Offensive to the Nostrils of the Rubbish of the People.* Indeed many of the King's Bishops, such as *Bancroft*, *Neal*, and *Laud*, who was a reputed Papist in *Oxford*, and a Man of a dangerous, turbulent Spirit, were fit for any Work; and as they don't appear to have had any Principles of real Piety themselves, they were the fittest Tools that could be made use of to persecute those who had. *Neal*, when he was Bishop of *Litchfield* and *Coventry*, prosecuted one *Edward Wightman*, for broaching erroneous Doctrine, and having canonically condemned him, got the King's Warrant for his Execution, and he was accordingly burnt in *Litchfield*. One *Legat* also, was prosecuted and condemned for Heresy, by *King* Bishop of *London*, and expired in the Flames of *Smithfield*. He denied the Divinity of our Saviour, according to the *Athanasian* Mode of explaining it; but, as *Fuller* tells us, he was excellently skilled in Scripture, and his

Wilson.

Life of Laud, p. 58.

Wilson.

Wilson.

Wilson.

Conversation very unblameable. But as these Sacrifices were unacceptable to the People, the King preferred, that Hereticks hereafter, though condemn'd, should silently and privately waste themselves away in Prison, rather than to amuse others with the Solemnity of a publick Execution.

In the Reign of the Royal Martyr, the Church was in the Height of her Glory and Power; though such is the Fate of all human Things, that she soon sicken'd, languished, and died. *Laud* carried all before him, and ruled the Church with a Rod of Iron; and though he seems to have had too much Pride to submit to the Pope of *Rome*, he acted the Part of a Pope himself, allowing himself, as *Heylin* tells us, to be addressed under the Titles of *Holiness*, and *most holy Father*. The Things he seemed principally to have had at Heart, were the introducing an arbitrary Government into the State, the Suppression and Extirpation of Nonconformity, and bringing the Church of *England*, in Rites and Ceremonies, to as near a Resemblance as possibly he could, to the Church of *Rome*. This appears, by his protecting *Montague*, *Manwaring* and *Sibthorp*, who had infamously preach'd up the King's absolute Power, and making the two former Bishops of the Church; by his persecuting the Puritan Ministers in the Star-Chamber and High Commission Court, who, as *Heylin* tells us, *Laud* used to say, were as bad as the Papists, imprisoning and fining, and forcing many others to take Sanctuary in *New England*; by his putting down and silencing all Lecturers throughout the several Dioceses of the Kingdom, by his suspending and ejecting such as refused to read the Book of Sports, by his forcing the *French* and *Dutch* Churches to a Conformity with the Rites and Ceremonies of the Church of *England*, by his obliging the *Scots* to receive Episcopacy, a Liturgy and Canons, by his forming new Articles and ecclesiastical Constitutions for the *English* Clergy, and enjoining them a strict Oath for the preventing of all Innovations; by the many Popish Superstitions he introduced into the publick Worship, such as Altars, Tapers, Candles, Candlesticks, Copes, Hoods, Images, Pictures, Cringes, Bows, Consecrations, and the like, and by the Lenity that was shewn throughout the whole of his Administration to the Papists themselves, whilst many worthy and learned Protestant Gentlemen and Divines were treated with the utmost Indignity and Barbarity; some of them dying in Goal, and others being made to undergo the most cruel bodily Punishments, for daring to oppose the arbitrary and superstitious Proceedings of this furious and relentless Prelate. No Man of Compassion can read his Treatment of Dr. *Leighton* without being shocked and moved in the same tender Manner as the House of Commons were, who several Times interrupted, by their Tears, the reading of the Doctor's Petition; which I shall here present my Reader with entire, and leave him to form what Character he pleases of the Man, that could contrive and carry on such a Scene of barbarous and execrable Cruelty.

Charles I.

To the Honourable and High Court of Parliament, The humble Petition of Alexander Leighton, *Prisoner in the* Fleet;

Humbly Sheweth,

HOW your much and long distressed Petitioner, on the 17th of February *gone ten Years, was apprehended in* Black-Fryers, *coming from the Sermon, by a high Commission Warrant (to which no Subject's Body is liable) and thence, with a Multitude of Staves and Bills, was dragged along (and all the way reproached by the Name of Jesuit and Traitor) till they brought him to* London-house, *where he was shut up, and, by a strong Guard, kept (without Food) till seven of the Clock, till Dr.* Laud, *then Prelate of* London, *and Dr.* Corbet, *then of* Oxford, *returned from* Fulham-house, *with a Troop attending. The Goaler of* Newgate *was sent for, who came with Irons, and with a strong Power of Halberts and Staves; they carried your Petitioner through a blind hollow Way, without Pretence or Examination, and opening up a Gate into the Street (which some say, had not been opened since Queen* Mary'*s Days) they thrust him into a loathsome and ruinous Dog-hole, full of Rats and Mice, which had no Light but a little Grate; and the Roof being uncovered, the Snow and Rain beat in upon him, having no Beding, nor Place to make a Fire, but the Ruins of an old smoaky Chimney; where he had neither Meat nor Drink, from the* Tuesday *at Night, till the* Thursday *at Noon. In this woful Place, and doleful Plight, they kept him close, with two Doors shut upon him, for the Space of fifteen Weeks, suffering none to come at him, till at length, his Wife was only admitted.*

The fourth Day after his Commitment, the High Commission Pursevants came (under the Conduct of the Sheriffs of London) *to your Petitioner's House, and a mighty Multitude with them; giving out, that they came to search for Jesuits Books. There those violent Fellows of Prey laid violent Hands upon your Petitioner's distressed Wife, with such barbarous Inhumanity as he is ashamed to express; and so rifled every Soul in the House, holding a bent Pistol to a Child's Breast of five Years old, threatning to kill him, if he would not tell where the Books were; through which, the Child was so affrighted that he never cast it. They broke open Presses, Chests, Boxes, the Boards of the House, and every Thing they found in the Way, though they were willing to open all. They, and some of the Sheriffs Men, spoiled, robbed, and carried away all the Books and Manuscripts they found, with Houshold Stuff, your Petitioner's Apparel, Arms, and other Things; so that they left nothing that liked them; notwithstanding, your Petitioner's Wife told the Sheriffs, they might come to reckon for it. They carried also a great Number of divers of your Petitioner's Books, and other Things, from one Mr.* Archer'*s House, as he will testify. Further, your Petitioner being denied the Copy of his Commitment, by the Goaler of* Newgate, *his Wife, with some Friends, repaired to the Sheriff, offering him bail, according to the Statute in that behalf; which being shew'd by an Attorney at Law, the Sheriff replied, That he wished the Laws of the Land and Privileges of the Subject, had never been named in the Parliament,* &c. *Your Petitioner (having thus suffered in Body, Liberty, Family,*

 Estate,

Estate, and House) at the End of fifteen Weeks was served with a Subpæna, on Information laid against him by Sir Robert Heath, *then his Majesty's Attorney-General; whose Dealing with your Prisoner was full of Cruelty and Deceit. In the mean Time it did more than appear, to four Physicians, that Poison had been given him in* Newgate; *for his Hair and Skin came off in a Sickness (deadly to the Eye) in the Height whereof, as he did lie, censure was past against him in the Star Chamber, without hearing (which had not been heard of) notwithstanding of a Certificate from four Physicians, and Affidavit made by an Attorney, of the Desperateness of the Disease. But nothing would serve D*r. Laud, *but the highest Censure that ever was past in that Court, to be put upon him; and so it was to be inflicted with Knife, Fire, and Whip, at and upon the Pillory, with ten thousand Pounds Fine; which some of the Lords conceived should never be infflicted, only it was imposed (as on a dying Man) to terrify others. But the said Doctor and his Combinants, caused the said Censure to be executed the 26th Day of* November *following (with a Witness) for the Hang-man was armed with Strong-drink all the Night before, in Prison, and, with threatning Words, to do it cruelly. Your Petitioner's Hands being tied to a Stake (besides all other Torments) he received thirty six Stripes with a trible Cord; after which, he stood almost two Hours on the Pillory, in cold Frost and Snow, and suffered the rest; as cutting off the Ear, firing the Face, and slitting of the Nose; so that he was made a Theatre of Misery to Men and Angels: And being so broken with his Sufferings that he was not able to go, the Warden of the* Fleet *would not suffer him to be carried in a Coach; but he was forced to go by Water, to the further indangering of his Life; returning to the Goal after much harsh and cruel Usage, for the Space of eight Years, paying more for a Chamber then the Worth of it (having not a bit of Bread, nor drop of Water allowed.) The Clerk of the* Fleet, *to top up your Petitioner's Sufferings, sent for him to his Office, and without Warrant, or Cause given by your Petitioner, set eight strong Men-fellows upon him, who tore his Clothes, bruised his Body, so that he was never well, and carried him by Head and Heels, to that loathsome and common Goal, where, besides the Filthiness of the Place and Vileness of the Company, divers Contrivances were laid for taking away the Life of your Petitioner, as shall manifestly appear, if your Honours will be pleased to receive and peruse a Schedal of that Subject.*

Now the Cause of all this harsh, cruel, and continued ill Usage, unparalled yet upon any one since Britain *was blessed with Christianity, was nothing but a Book written by your Petitioner, called* Pious Plea against the Prelacy; *and that, by the Call of divers and many good Christians in the Parliament Time, after divers Refusals given by your Petitioner, who would not publish it being done, till it had the View and Approbation of the best in the City, Country, and University, and some of the Parliament it self: In Witness whereof he had about* 500 *Hands; for revealing of whose Names he was promised more Favours by Sir* Robert Heath *then he will speak of: But denying to turn Accuser of his Brethren he was threaten'd with a Storm, which he felt to the full; wherein (through God's Mercy) he had lived; though but lived, chusing rather to lay his Neck to the Yoke for others, then to release himself by others Sufferings.*

Further, the Petitioner was robbed of divers Goods, by one Lightborn, Graves, *and others, Officers and Servants of the* Fleet, *amounting towards the Value of thirty Pounds, for which* Lightborn *offered Composition (by a second Hand) upon the hearing of the Approach of Parliament; but your Petitioner (notwithstanding his Necessity) refused to hearken to any such illegal and dangerous way. To innumerate the rest of your Petitioner's heavy Pressures, would take up a Volume, with which he will not burden your Honours, till further Opportunity.*

And therefore, he humbly and heartily intreateth, that you would be graciously pleased to take this his Petition into your serious Thoughts, and to command Deliverance, that he may plead his own Cause, or rather Christ's and the States. As also to afford such Cost and Damages as he has suffer'd in Body, Estate, and Family, having been Prisoner (and that, many Times) in the most nasty Prisons, eleven Years, not suffered to breath in the open Air: To which, give him leave to add his great Sufferings in all those Particulars, some sixteen Years ago, for publishing a Book, called, The Looking-glass of Holy War.

Further, as the Cause is Christ's and the States, so your Petitioner conceiveth (under Correction) that the Subject of the Book will be the prime and main Matter of your Agitation, to whose Wisdom he hopeth the Book shall approve it self.

Also your Petitioner's wearing Age, going now in seventy two Years, together with the Sicknesses and Weakness of his long distressed Wife, require a speedy Deliverance.

Lastly, the Sons of Death, the Jesuits, and Jesuited, have so long insulted in their own licentious Liberty, and over the Miseries of your Servant and others; who, forbearing more Motives, craves Pardon for his Prolixity, being necessitated thereto from the Depth and Length of his Miseries. In all which he ceaseth not to pray, &c. *and,*

Kisseth your Hands.

Prov. xxiv. 11.

Wilt thou not deliver them that are drawn unto Death, and those that are ready to be slain?

These and the like Violences of *Laud* and his Creatures drew down the just Vengeance of the Parliament on his Head, and involved the Church of *England* it self in his Ruin. Bishops and Common Prayer were now no more. The Church was formed after a quite different Model; and the Presbyterian Discipline received and established; both the Lords and Commons taking the solemn League and Covenant, which was intended for the utter abolishing prelatical Government. The Writers of the Church Party think this an everlasting Brand of Infamy upon the Presbyterians. But how doth this throw greater Infamy upon them, than the Subversion of Presbytery in *Scotland*, and the imposing Canons and Common Prayer on that Nation, doth on *Laud* and his Creatures? If the Alteration of the established Religion, in any Nation, be a Crime, in it self, 'tis so in every Nation; and I doubt not but the *Scotch* Presbyterians think that that Archbishop, and the prelatical Party, acted as unjustly, illegally, and tyrannically, in introducing the *English* Form of Church Government and Worship into *Scotland*, contrary to their former Settlement, and the Inclination of almost the whole Nation, as the High-Church Party can do with respect to the Presby-

Presbyterians, for altering the Form of the Establishment in *England*: And, indeed, the same Arguments that will vindicate the Alterations made in *Scotland* by the King and the Bishops, will vindicate those made in *England* by the Parliament and the Presbyterians.

It would have been highly honourable to the Presbyterian Party, had they used their Power, when in Possession of it, with Moderation, and avoided all those Methods of Persecutions and Suspensions they had themselves felt the Effects of in former Times. But to do them Justice, they had no great Inclination for moderate Measures. As soon as they came into the Church, all others must out who would not comply, and submit to Sequestrations and Imprisonments. The solemn League and Covenant was imposed and rigorously exacted of all People, as they would escape the Brand and Penalty of Malignants. Many of the Episcopal Clergy, both in the City and Country, were expelled their Livings, though by a Generosity, not afterwards imitated by them, Provision was made for the Support of their Wives and Children. The Lord Mayor, Aldermen, and Common-Council-Men of *London*, presented a Remonstrance to the Parliament, desiring a strict Course for suppressing all private and separate Congregations; that all Anabaptists, Hereticks, *&c.* as not conformed to the publick Discipline, may be declared and proceeded against; that all be required to obey the Government settled, or to be settled, and that none disaffected to the Presbyterian Government, be employ'd in any Place of publick Trust. An Ordinance of Parliament was made, by which every Minister that should use the Common-Prayer in Church or Family, was to forfeit five Pounds for the first Time, ten Pounds for the second, and to suffer a Years Imprisonment for the third. Also every Minister, for every Neglect of the Directory, was to pay forty Shillings; and for every Contempt of it, by writing or preaching, to forfeit, at the Discretion of those before whom he was convicted, any Sum not under five Pounds, nor above fifty Pounds. The Parliament also appointed Elderships to suspend, at their Discretion, such whom they should judge to be scandalous, from the Sacrament, with a Liberty of Appeal to the classical Eldership, *&c.* They set up also arbitrary Rules about the Examination and Ordination of Ministers by *Triers*, who were to be sound in Faith, and such as usually received the Sacrament. And in these Things they were quicken'd by the *Scots*, who complained that Reformation moved so slowly, and that Sects and Errors encreased, and Endeavours were used for their Toleration. Great Restraints also were put upon the Liberty of the Press, by several Ordinances made for that Purpose. And to say the truth, when they once got Presbytery established, they used the same Methods of Suspensions, Sequestrations and Fines that the prelatical Party had done before, though not with equal Severity; and were as zealous for Uniformity in their own Covenant and Discipline, as the Bishops were for Hierarchy, Liturgy, and Ceremonies.

Presbyterians.

But the Triumphs of the Presbytery and Covenant, were but short. Upon the Restoration of the Royal Wanderer, *Charles* II. Prelacy immediately revived, and exerted it self in its primitive Vigour and Severity. In his Majesty's

Charles II.

jesty's first Declaration to his loving Subjects, he was pleased to promise *a Liberty to tender Consciences, and that no Man should be disquieted or called in Question for Differences of Opinion in Matters of Religion*; *and that he would consent to an Act of Parliament for the full granting that Indulgence.* But other Measures soon prevailed. In the second Year after his Restoration, the Act of Uniformity was passed, by which all Ministers were to read, and *publickly declare unfeigned Assent and Consent to all and every Thing contained in, and prescribed by the Book of Common Prayer*, before the Feast of St. *Bartholomew*, then ensuing, under the Penalty of immediate and absolute Deprivation. The Consequence of this Act was, that between two and three thousand excellent Divines were turned out of their Churches; many of them, to say the least, as eminent for Learning and Piety as the Bishops, who were the great Promoters of this barbarous Act; and themselves and Families, many of them, exposed to the greatest Distress and Poverty. This cruel Injustice obliged the ejected Ministers, and their Friends, to set up separate Congregations, and occasioned such a Division from the established Church, as will, I hope, ever remain, to witness against the Tyranny of those Times, and the reverend Authors and Promoters of that Act, to maintain the Spirit and Practice of serious Religion, and as a publick Protestation for the civil and religious Liberties of Mankind, till Time shall be no more, or till the Church shall do her self the Justice and Honour to open wide her Gates, for the Reception of all into her Communion and Ministry, who are not rendered incapable of either by Jesus Christ, the great Shepherd and Bishop of Souls. But however, Measures were then soon taken to disturb their Meeting. In 1664. the Bill against frequenting Conventicles passed; the first Offence made punishable with five Pounds, or three Months Imprisonment; the second Offence with ten Pounds, or six Months Imprisonment; and the third with Banishment to some of the foreign Plantations; sham Plots, being father'd on the Dissenters, to prepare the Way for these Severities. But some of the Bishops, such as *Sheldon*, *Ward*, *Wrenn*, &c. did not think these Hardships enough, and therefore, notwithstanding the Devastations of the Plague, and tho' several of the ejected Ministers shewed their Piety and Courage, in staying and preaching in the City during the Fury of it, the five Mile Act was passed against them the next Year, at *Oxford*; by which, all the silenced Ministers were obliged to take an Oath, that it was not lawful, on any Pretence whatsoever, to take Arms against the King, or any commission'd by him; and that they would not, at any time, endeavour an Alteration in the Government of Church and State. Such who scrupled the Oath, were forbid to come within five Miles of any City or Parliament Burrough, or of the Church where they had been Ministers, under Penalty of forty Pounds, or six Months Imprisonment, for every Offence. After these things, several Attempts were set on Foot for a Comprehension, but rendered ineffectual by the Practices of the Bishops, and particularly by *Ward*, Bishop of *Salisbury*, who had himself taken the solemn League and Covenant: But having forsaken his first Principles, 'tis no Wonder he became a bitter Persecutor. In the Year 1670. another severe Act was passed against them, by which it was provided, that if any Per-

Perſon, upwards of ſixteen, ſhould be preſent at any Conventicle, under Colour of exerciſing Religion, in any other Manner than according to the Practice of the Church of *England*, where there were five Perſons or more, beſides thoſe of the ſaid Houſhold, the Offenders were to pay five Shillings for the firſt Offence, and ten Shillings for the ſecond, and the Preacher to forfeit twenty Pounds for the firſt, and forty Pounds for the ſecond Offence. And thoſe who knowingly ſuffered any ſuch Conventicles in their Houſes, Barns, Yards, *&c.* were to forfeit twenty Pounds. The Effect of theſe Acts was, that great Numbers of Miniſters and their People, were laid in Goals amongſt Thieves and common Malefactors, where they ſuffered the greateſt Hardſhips and Indignities; their Effects were ſeized on, and themſelves and Families reduced to almoſt Beggary and Famine. But at length, this very Parliament which had paſſed theſe ſevere Bills againſt Proteſtant Diſſenters, began themſelves to be awakened, and juſtly grew jealous of their Religion and Liberties, from the Encreaſe of Popery: And therefore, to prevent all Dangers which might happen from Popiſh Recuſants, they paſſed, in 1673. the Teſt Act; which hath ſince been, contrary to the original Deſign of the Law, turned againſt the Proteſtant Diſſenters, and made uſe of to exclude them from the Enjoyment of thoſe Rights and Privileges which they have a natural Claim to. In the Year 1680. a Bill paſſed both Houſes of Parliament, for exempting his Majeſty's Proteſtant diſſenting Subjects from certain Penalties; but when the King came to the Houſe, to paſs the Bills, this Bill was taken from the Table, and never heard of more: And though this Parliament voted, that the Proſecution of Proteſtant Diſſenters, upon the penal Laws, was grievous to the Subject, a weakening the Proteſtant Intereſt, an Encouragement to Popery, and dangerous to the Peace of the Kingdom; yet they underwent a freſh Proſecution, their Meetings were broken up, many Miniſters impriſoned, and moſt exorbitant Fines levied on them and their Hearers.

In the Beginning of King *James*'s Reign theſe rigorous Proceedings were continued; but as the Deſign of that unhappy biggotted Prince was to ſubvert the Religion and Laws of theſe Kingdoms, he publiſhed, in the Year 1687. a Declaration for a general Liberty of Conſcience to all Perſons, of what Perſuaſion ſoever; not out of any Regard or Affection to the Proteſtant Diſſenters, but for the promoting the Popiſh Religion and Intereſt. He alſo cauſed an Order of Council to be paſſed, that his Declaration of Indulgence ſhould be read in all Churches and Chapels, in the Time of Divine Service, all over *England* and *Wales*. But though the Diſſenters uſed the Liberty which was thus granted them, and had ſeveral Opportunities to have been revenged on their former Perſecutors; yet they had too much Honour and Regard to the Proteſtant Religion and Liberties, ever to fall in with the Meaſures of the Court, or lend their Aſſiſtance to introduce arbitrary Power and Popery. And as the Divines of the Church of *England*, when they ſaw King *James*'s furious Meaſures to ſubvert the whole Conſtitution, threw off their ſtiff and haughty Carriage towards the Diſſenters, owned them for Brethren, put on the Appearance of the Spirit of Peace and Charity, and aſſured them, that no ſuch rigorous James II.

Methods

Methods ſhould be uſed towards them for the future, Things that never entered into their Hearts whilſt they were triumphant in Power, and which nothing but a ſenſe of their own extreme Danger ſeems then to have extorted from them: The Diſſenters, far from following their Reſentments, readily entered into all Meaſures with them for the common Safety, and were amongſt the firſt and heartieſt Friends of the Revolution, under King *William* III. of glorious and immortal Memory.

Will. III. Soon after the Settlement of this Prince upon the Throne, an Act was paſſed for exempting their Majeſties Proteſtant Subjects, diſſenting from the Church of *England*, from the penal Laws; and though the King, in a Speech to the two Houſes of Parliament, told them, That he hoped they would leave Room for the Admiſſion of all Proteſtants, that were willing and able to ſerve him; agreeable to which, a Clauſe was ordered to be brought into the Houſe of Lords, to take away the neceſſity of receiving the Sacrament to make Perſons capable of Offices; yet his Majeſty's gracious Intentions were fruſtrated, and the Clauſe rejected, by a great Majority. Another Clauſe alſo that was afterwards added, That the receiving the Sacrament in the Church of *England*, or in any other Proteſtant Congregation, ſhould be a ſufficient Qualification, met with the ſame Fate as the former: So that though the Diſſenters were freed from the penal Laws, they were left under a Brand of Infamy, and render'd incapable of ſerving their King and Country, and the Lord's Supper laid open to be proſtituted by Law, to the moſt abandon'd and profligate Sinners; and an Inſtitution deſigned for the Union of all Chriſtians, made the Teſt of a Party, and the Means of their Separation from each other; a Scandal that remains upon the Church of *England* to this Day. It is indeed but too plain, that when the eſtabliſhed Church ſaw it ſelf out of Danger, ſhe forgot the Promiſes of Moderation and Condeſcention towards the Diſſenters, who readily and openly declared their Willingneſs to yield to a Coalition. But as the Clergy had formed a Reſolution of conſenting to no Alterations in order to ſuch an Union; all the Attempts made to this Purpoſe became wholly ineffectual. Indeed, their very Exemption from the penal Laws was envied them by many, and ſeveral Attempts were made to diſturb and proſecute them in this Reign, but were prevented from taking Effect by royal Injunctions.

Q. Ann. Upon the Death of King *William*, and the Succeſſion of Queen *Ann*, the Hatred of the Clergy towards the Diſſenters, that had lurked in their Breaſts, during the former Reign, immediately broke out. Several Sermons were preached to render them odious, and expoſe them to the Fury of the Mob. A Bill was brought in and paſſed by the Houſe of Commons, for preventing occaſional Conformity, impoſing an hundred Pounds Penalty upon every Perſon reſorting to a Conventicle or Meeting, after his Admiſſion into Offices, and five Pounds for every Days Continuance in ſuch Offices, after having been preſent at ſuch Conventicle. But upon ſome Diſagreement between the Lords and Commons, the Bill dropped for that Time. The ſame Bill, with ſome few Alterations, paſſed the Houſe of Commons the two next Seſſions, but was rejected by the Lords. During this Reign ſeveral Pamphlets were publiſh'd, con-

containing bitter Invectives against the Dissenters, and exciting the Government to extirpate and destroy them. Several Prosecutions were also carried on against them for teaching Schools, *&c.* with great Eagerness and Malice. In 1709. an open Rebellion broke out, when the Mob pulled down the Meeting-Houses, and publickly burnt the Pews and Pulpits. *Sacheverell* was Trumpet to the Rebellion, by preaching Treason and Persecution, and the Parliament that censured him, was hastily dissolved. The Parliament that succeeded, 1711. was of a true Tory Spirit and Complection, and in its second Session, passed the Bill against occasional Conformity. The next Parliament, which met in 1714. was of the same Disposition, and passed a Bill to prevent the Growth of Schism, by which the Dissenters were restrained from teaching Schools, or from being Tutors to instruct Pupils in any Family, without the License of the Archbishop, or Bishop of the Diocese where they resided; and the Justices of the Peace had Power given them finally to determine in all Cases relating thereto. Another Bill was also intended to be brought in against them, to incapacitate them for voting in Elections for Parliament Men, or being chosen Members of Parliament themselves.

But before these unjust Proceedings had their intended Effect, the Protestant Succession, in his late Majesty King *George* I. took Place; Queen *Ann* dying on the first of *August*, the very Day on which the Schism Bill was to have commenced; which, together with that to prevent occasional Conformity, were both repealed by the first Parliament called together by that excellent Prince. And I cannot help thinking that if the Church of *England* had then consented to have set the Dissenters intirely free, by repealing the Test and Corporation Acts; it would have been much to its own Honour and Reputation, as well as a great Strength and Security to the national Interest. But the Time was not then come. We still labour under the Oppression of those two Acts; and notwithstanding our Zeal for his Majesty's Person and Family, must sit down as easy as we can, with the Inclination to serve him, whilst, by Law, we are denied the Opportunity and Power. George I.

The Sentiments of his late Majesty, of glorious Memory, with respect to Moderation, and the tolerating of Dissenters, were so fully understood by the whole Nation, as kept the Clergy in tolerable good Order, and from breaking out into many Outrages against them. But a Controversy that began amongst themselves soon discovered what Spirit many of them were of. The then Bishop of *Bangor*,* the now worthy and reverend Bishop of *Salisbury*, happen'd, in a Sermon before his Majesty, to assert the supreme Authority of Christ as King in his own Kingdom; and that he had not delegated his Power, like temporal Lawgivers, during their Absence from their Kingdoms to any Persons, as his Deputies and Vicegerents. *Anno* 1717. He also published his Preservative, in which he advanced some Positions contrary to temporal and spiritual Tyranny, and in behalf of the civil and religious Liberties of Mankind. The Goodness of his Lordship's Intentions to serve the Family of his present Majesty, the Interest of his Country, and the

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* Dr. Hoadley Bp. of Winchester.

the Honour of the Church of God, might, methinks, have screen'd him from all scurrilous Abuses. But how numerous were his Adversaries, and how hard the Weapons with which they attacked him! Not only the Dregs of the People and Clergy opened against him, but mighty Men, and Men of great Renown, from whom better Things might have been expected, enter'd the Lists with him; and because the avowed Champions for spiritual Power, and the Division of the Kingdom between Christ Jesus and themselves. His Lorship of *Bangor* had this manifest Advantage upon the Face of the Argument. He pleaded for Christ's being King in his own Kingdom. His Adversaries pleaded for the Translation of his Kingdom to certain spiritual Viceroys. He for Liberty of private Judgment in Matters of Religion and Conscience. They for Dominion over the Faith and Consciences of others. He against all the Methods of Persecution. They for penal Laws, for Corporation and Test Acts, and the powerful Motives of positive and negative Discouragements. He, with the Spirit of Meekness, and of a Friend to Truth. They with Bitterness and Rancour, and an evident Regard to Interest and Party. However, the lower House of Convocation accused and prosecuted him for attempting the Subversion of all Government and Discipline in the Church of Christ, with a View, undoubtedly, of bringing him under a spiritual Censure, and with impeaching the regal Supremacy in Causes Ecclesiastical, to subject him to the Weight of a Civil one. Of the Bishop it must be said, to his everlasting Honour, that the Temper he discovered, under the Opposition he met with, and the Slanders that were thrown on him, was as much more amiable than that of his Adversaries; as his Cause was better, his Writings and Principles more consistent, and his Arguments more conclusive and convincing. But notwithstanding these Advantages, his Lordship had great Reason to be thankful to God that the Civil Power supported and protected him, otherwise his Enemies would not, in all Probability, have been content with throwing Scandal upon his Character, but forced him to have parted with SOMETHING, and then delivered him unto Satan for the Punishment of his Flesh, and made him have felt the Weight of that Authority, which God made him the happy and honourable Instrument of opposing; especially if they were all of them of a certain good Archdeacon's Mind, who thought he deserved to have his Tongue cut out.

The Dissenters also have had their Quarrels and Controversies amongst themselves, and managed them with great Warmth and Eagerness of Temper. During their Persecution under King *Charles* II. and the common Danger of the Nation under his Brother *James*, they kept tolerably quiet; the Designs of the common Enemy to ruin them all, uniting them the more firmly amongst themselves. But after the Revolution, when they were secure from Oppression by the civil Power, they soon fell into eager Disputes about Justification and other Points of like Nature. The high flown orthodox Party would scarce own for their Brethren, those who were for Moderation in these Principles, or who differed in the least from their Doctrine con-

concerning

cerning them. And when they could no longer produce Reaſon and Scripture in their Defence, they, ſome of them, made uſe of infamous Methods of Scandal, and endeavoured to blaſt the Character of a reverend and worthy Divine Dr. *Williams*, in the moſt deſperate Manner; becauſe they could no otherwiſe anſwer and refute his Arguments. But his Virtue ſtood the Shock of all their Attempts to defame it; for after, about eight Weeks ſpent in an Enquiry into his Life, by a Committee of the united Miniſters, which received all Manner of Complaints and Accuſations againſt him; it was declared at a general Meeting, as their unanimous Opinion, and repeated and agreed to in three ſeveral Meetings ſucceſſively, that he was intirely clear and innocent of all that was laid to his Charge. Thus was he vindicated in the ampleſt Form, after the ſtricteſt Examination that could be made, and his Adverſaries, who dealt in Defamation and Scandal, if not brought to Repentance, were yet put to Silence. It was almoſt incredible how much he was a Sufferer for his Oppoſition to *Antinomianiſm*, by a ſtrong Party, who left nothing unattempted to cruſh him, if it had been poſſible. But as his Innocence appeared the brighter, after his Character had been thoroughly ſifted, he was, under God, greatly inſtrumental in putting a Stop to thoſe pernicious Opinions which his Oppoſers propagated; which ſtruck at the very Eſſentials of all natural and revealed Religion. His *Goſpel Truth* remains a Monument of his Honour, a Monument his Enemies were never able to deſtroy. However, nothing would ſerve but his Excluſion from the Merchant's Lecture at *Pinners-Hall*. Three other worthy Divines, who had been his Partners in that Service, bore him Company, and their Places were ſupplied with four others, of unqueſtionable Rigidneſs and Sterling Orthodoxy. Many Papers were drawn up on each Side, in order to an Accommodation; ſo that it looked, as Dr. *Calamy* tells us, as if the Creed making Age was again revived. It was inſiſted, that *Arminianiſm* ſhould be renounced on one Side, and *Antinomianiſm* on the other. But all was in vain; and the Papers that were drawn up to compoſe Matters created new Heats, inſtead of extinguiſhing the old ones. Theſe Contentions were kept up for ſeveral Years, till at laſt, the Diſputants grew weary, and the Controverſy threadbare, when it dropped of it ſelf.

Nelſon's *Life of Bp.* Bull, p. 275, 276.

The next Thing that divided them was the *Trinitarian* Controverſy, and the Affair of Subſcription to human Creeds and Articles of Faith, as a Teſt of Orthodoxy. In the Year 1695. a great Conteſt aroſe about the Trinity, amongſt the Divines of the Church of *England*, who charged each other with *Tritheiſm* and *Sabellianiſm*; and according to the eccleſiaſtical Manner of managing Diſputes, beſtowed Invectives and ſcurrilous Language very plentifully, upon each other. The Diſſenters, in the Reign of his late Majeſty, not only unfortunately fell into the ſame Debate, but carried it on, ſome of them at leaſt, with equal want of Prudence and Temper. In the Weſt of *England*, where the Fire firſt broke out, Moderation, Chriſtian Forbearance, and Charity, ſeemed to have been wholly extinguiſhed. The Reverend and Learned Mr. *James Peirce*, Miniſter in the City of *Exeter*, was diſmiſſed from

his Congregation, upon a Charge of Herefy; and treated, by his Oppofers, with fhameful Rudenefs and Infolence. Other Congregations were alfo practifed with, to difcard their Paftors, upon the fame Sufpicion, who were accufed of impioufly *denying the Lord that bought them*, to render them odious to their Congregations, merely becaufe they could not come up to the unfcriptural Tefts of human Orthodoxy. And when feveral of the Minifters of *London* thought proper to interpofe, and try, if by Advices for Peace, they could not compofe the Differences of their Brethren in the Weft: This Chriftian Defign was as furioufly oppofed as if it had been a Combination to extirpate Chriftianity it felf; and a Propofal made in the Room of it, that the Article of the Church of *England*, and the Anfwer in the Affembly's Catechifm, relating to the Trinity, fhould be fubfcribed by all the Minifters, as a Declaration of their Faith, and a Teft of their Orthodoxy. This Propofal was confidered by many of the Minifters, not only as a Thing unreafonable in it felf, thus to make Inquifition into the Faith of others, but highly inconfiftent with the Character of Proteftants, diffenting from the national Eftablifhment; and diffenting from it for this Reafon amongft others, becaufe the eftablifhed Church exprefly claims *an Authority in Controverfies of Faith*. And therefore, after the Affair had been debated for a confiderable while, the Queftion was folemnly put, and the Propofal rejected by a Majority of Voices. This the Zealots were highly difpleafed with, and accordingly publickly proclaimed their Refentments from the Pulpits. Fafts were appointed folemnly to deplore, confefs, and pray againft the aboundings of Herefy; and their Sermons directly levelled againft the two great Evils of the Church, *Nonfubfcription* and *Arianifm*. Through the Goodnefs of God they had no Power to proceed farther: And when praying and preaching, in this Manner, began to grow tedious, and were, by Experience, found to prove ineffectual, to put a Stop to the Progrefs of the Caufe of Liberty, their Zeal immediately abated, the Cry of Herefy was feldomer heard, and the Alarum of the Church's being endangered by pernicious Errors, gradually ceafed; it being very obfervable, that though Herefy be ever, in its Nature, the fame Thing, yet that the Cry againft it is either more or lefs, according as the political Managers of it can find more or fewer Paffions to work on, or a greater or leffer Intereft to fubferve by it.

And thus have I brought the Hiftory of Perfecution down to our own Times. If Church Hiftory would have afforded me any Thing better, I affure my Reader he fhould have had it told with Pleafure. The Story, as it is, I have told with Grief. But 'tis Time to difmifs him from fo ungrateful an Entertainment, and fee what ufeful Reflections we can make on the Whole.

SECT.

SECT. III.

REMARKS *upon the* HISTORY *of* Christian Persecution.

I. 'TIS a Truth too evident to be denied, That the Clergy in general, throughout almost all the several Ages of the Christian Church, have been deep and warm in the Measures of Persecution; as though it had been a Doctrine expresly inculcated in the sacred Writings, and recommended by the Practice of our Saviour and his Apostles. Indeed, could such a Charge as this have been justly fixed on the great Author of our Religion, or the Messengers he sent into the World to propagate it; I think it would have been such an Evidence of its having been dictated by weak, or wicked, or worldly minded Men, as nothing could possibly have disproved. But that Christianity might be free from every Imputation of this kind, God was pleased to send his Son into the World, without any of the Advantages of worldly Riches and Grandeur, and absolutely to disclaim all the Prerogatives of an earthly Kingdom. His distinguishing Character was that of *meek and lowly*; and the Methods by which he conquered and triumphed over his Enemies, and drew all Men to him, was *Patience and Constancy, even to the Death*. And when he sent out his own Apostles, he sent them out but poorly furnished, to all human Appearance, for their Journey; *without Staves, or Scrip, or* Luke ix. 3. *Bread, or Money*, to let them know that he had but little of this World to give them; and that their whole Dependance was on Providence. One Thing however he assured them of, that they should be *delivered up to the* Matt. x. *Councils, and scourged in the Synagogues, and be hated of all Men for his sake.* So 17. far was he from giving them a Power to persecute, that he foretold them they must suffer Persecution for his Name: This the Event abundantly justified. And how amiable was their Behaviour under it? How greatly did they recommend the Religion they taught by the Methods they took to propagate it? *The Arms of their Warfare were not carnal, but spiritual.* The Argument they used to convince those they preached to, was the *Demonstration of the Spirit, and of Power.* They *approved themselves as the Ministers of God, by much Patience, by Afflictions, Necessities, Distresses, Stripes, Imprisonments, Tumults, Labours, Watchings, Fastings, Pureness, Knowledge, Long-suffering, Kindness, by the Holy Ghost, by Love unfeigned, by the Word of Truth, by the Power of God, and by the Armour of Righteousness on the right Hand and on the left.* Oh how unlike were their Successors to them in these Respects! How different their Methods to convince Gainsayers! Excommunications, Suspensions, Fines, Banishments, Imprisonments, Bonds, Scourges, Tortures and Death, were the powerful Arguments introduced into the Church, and recommended, practised and sanctified by many of the pretended Fathers of it. Even those whom Superstition hath dignified by the Name of Saints, *Athanasius, Chrysostom, Gregory, Cyril*, and others, grew wanton with Power, cruelly oppressed those who differed

differed from them, and stained most of them their Characters with the Guilt of Rapine and Murder. Their religious Quarrels were managed with such an unrelenting, furious Zeal, as disturbed the imperial Government, threw Kingdoms and Nations into Confusion, and turned the Church it self into an Aceldama, or Field of Blood. Some few there have been who were of a different Spirit, who not only abstained from persecuting Counsels and Measures themselves, but with great Justice and Freedom censured them in others. But as to your Saints and Fathers, your Patriarchs and Bishops, your Councils and Synods, together with the Rabble of Monks, they were most of them the Advisers, Abetters and Practicers of Persecution. They knew not how to brook Opposition to their own Opinions and Power, branded all Doctrines different from their own, with the odious Name of Heresy, and used all their Arts and Influence to oppress and destroy those who presumed to maintain them. And this they did with such Unanimity and Constancy, through a long Succession of many Ages, as would tempt a stander by to think, that a Bishop or Clergyman, and a Persecutor, were the same Thing, or meant the self same individual Character and Office in the Christian Church.

I am far from writing these Things with any Design to depreciate and blacken the episcopal Order in general. 'Tis an Office of great Dignity and Use, according to the original Design of its Institution. But when that Design is forgotten, or wholly perverted; when, instead of becoming *Overseers* of the Flock of Christ, the Bishops *tare and devour* it, and proudly usurp Dominion over the Consciences of Christians, when they ought to be content with being Helpers of their Joy, I know no Reason why the Name should be complimented, or the Character held sacred, when 'tis abused to Insolence, Oppression and Tyranny; or why the venerable Names of Fathers and Saints, should screen the Vices of the Bishops of former Ages, who, notwithstanding their writing in behalf of Christianity and Orthodoxy, brought some of them the greatest Disgrace on the Christian Religion, by their wicked Practices, and exposed it to the severest Satyrs of its professed Enemies: And for the Truth of this, I appeal to the foregoing History. If any Observations on their Conduct should affect the Temper and Principles of any now living, they themselves only are answerable for it, and welcome to make what Use and Application of them they please. Sure I am that the representing them in their true Light, reflects an Honour upon those reverend and worthy Prelates, who maintain that Moderation and Humility, which is essential to the true Dignity of the Episcopal Character, and who use no other Methods of Conviction and Persuasion, but those truly Apostolical ones, of sound Reasoning and exemplary Piety. May God grant a great Increase, and a continual Succession of them in the Christian Church.

II. But as the Truth of History is not to be concealed; and as it can do no Service to the Christian Cause to palliate the Faults of any Set of Christians whatsoever; especially when all Parties have been more or less involved in the same Guilt; I must observe farther, as an Aggravation of this

this Guilt, that the Things for which Christians have persecuted each other, have been generally Matters of no Importance in Religion, and oftentimes such as have been directly contrary to the Nature of it. If my Reader would know upon what Accounts the Church hath been filled with Divisions and Schisms; why Excommunications and Anathemas have been so dreadfully tossed about; what hath given Occasion to such a Multitude of Suspensions, Depositions and Expulsions; what hath excited the Clergy to such numberless Violences, Rapines, Cruelties and Murders, he will probably be surprized to be informed, that 'tis nothing of any Consequence or real Importance, nothing relating to the Substance and Life of pure and undefiled Religion; little besides hard Words, technical Terms, and inexplicable Phrases, Points of mere Speculation, abstruse Questions, and metaphysical Notions; Rites and Ceremonies, Forms of human Invention, and certain Institutions, that have had their Rise and Foundation only in Superstition. These have been the great Engines of Division; these the sad Occasions of Persecution. Would it not excite sometimes Laughter, and sometimes Indignation, to read of a proud and imperious Prelate, excommunicating the whole Christian Church, and sending, by Wholesale, to the Devil, all who did not agree with him in the precise Day of observing *Easter*? Especially when there is so far from being any Direction given by Christ or his Apostles about the Day; that there is not a single Word about the Festival it self. And is it not an amazing Instance of Stupidity and Superstition, that such a paltry and whimsical Controversy should actually engage, for many Years, the whole Christian World, and be debated with as much Warmth and Eagerness, as if all the Interests of the present and future State had been at Stake; as if Christ himself had been to be crucified afresh, and his whole Gospel to be subverted and destroy'd.

The *Arian* Controversy, that made such Havock in the Christian Church, was, if I may be allowed to speak it without Offence, in the Beginning only, about Words; though probably, some of *Arius* his Party went farther afterwards than *Arius* himself did at first. *Arius*, as hath been shewn, expresly allowed the Son to be προ χρονων και προ αιωνων, *before all Times and Ages*, πληρης Θεος, *perfect God*, αναλλαιωτος, *unchangeable*, and begotten after the most perfect Likeness of the unbegotten Father. This, to me, appears to bid very fair for Orthodoxy, and was, I think, enough to have reconciled the Bishop and his Presbyter, if there had not been some other Reasons of the Animosity between them. But when other Terms were invented, that were hard to be understood, and difficult to be explained; the original Controversy ceased, and the Dispute then was about the Meaning of those Terms, and the Fitness of their Use in explaining the Divinity of the Son of God. *Arius* knew not how to reconcile the Bishop's Words, αειγεννης, *ever begotten*; with the Assertion, that the Son, συνυπαρχει αγεννητως τω Θεω, *coexists unbegottenly with God*; and thought it little less than a Contradiction to affirm, that he was αγεννητογενης, *unbegottenly begotten*. And as to the Word ομουσιος, *Consubstantial*, *Arius* seems to have thought that it destroy'd the personal Subsistence of the

Son, and brought in the Doctrine of *Sabellius*; or else, that it implied, that the Son was μερος τȣ πατρος, *a Part of the Father*; and for this Reason declined the Use of it. And, indeed, it doth not appear to me that the Council of *Nice* had themselves any determinate and fixed Meaning to the Word, as, I think may be fairly inferred from the Debates of that Council, with *Eusebius*, Bishop of *Cæsarea*, about that Term; which, though put into their Creed, in Opposition to the *Arians*, was yet explained by them in such a Sense as almost any *Arian* could have, *bona fide*, subscribed. On the other hand, the Bishop of *Alexandria* seems to have thought, that when *Arius* asserted that the Son existed θεληματι ϗ βȣλη τȣ πατρος, *by the Will and Counsel of the Father*; it implied the Mutability of his Nature; and that, when he taught concerning the Son, οτι ην οτε ȣκ ην, *that there was a Time when he was not*; it inferred his being a temporary and not an eternal Being; though *Arius* expresly denied both these Consequences. In short, it was a Controversy upon this metaphysical Question, *Whether or no God could generate or produce a Being, in Strictness of Speech, as eternal as himself*? or, *Whether God's generating the Son doth not necessarily imply the Pre-existence of the Father, either* επινοια, *in Conception, or* ατομω τινι, *some small imaginable Point of Time*, as *Arius* imagined, and the Bishop denied. This was, in Fact, the State of this Controversy. And did not the Emperor *Constantine* give a just Character of this Debate, when he declared the Occasion of the Difference to be very trifling; and that their Quarrels arose from an idle itch of Disputation, since they did not contend about any essential Doctrine of the Gospel? Could these hard Words and inexplicable Points justify the Clergy in their intemperate Zeal; and in their treating each other with the Rancour and Bitterness of the most implacable Enemies? What hath the Doctrine of real Godliness, what hath the Church of God to do with these Debates? Hath the Salvation of Mens Souls, and the Practice of Virtue any Dependance upon Mens receiving unscriptural Words, in which they cannot believe, because they cannot understand them, and which, those who first introduced them were not able to explain? If I know my own Heart, I would be far from giving up any plain and important Doctrine of the Gospel. But will any Man cooly and soberly affirm, that nice and intricate Questions, that depend upon metaphysical Distinctions, and run so high as the most minute supposeable Atome, or Point of Time, can be either plain or important Doctrines of the Gospel? Oh Jesus! If thou be *the Son of the everlasting God, the Brightness of thy Father's Glory, and the express Image of his Person*; if thou art the most perfect Resemblance of his all perfect Goodness, that kind Benefactor, that God-like Friend to the human Race, which the faithful Records of thy Life declare thee to be, How can I believe the essential Doctrines of thy Gospel to be thus wrapped up in Darkness; or, that the Salvation of that Church, *which thou hast purchased with thy Blood*, depends on such mysterious and inexplicable Conditions? If thy Gospel represents thee right, surely thou must be better pleased with the humble, peaceable Christian, who, when honestly searching into the Glories of thy Nature, and willing to give thee all the Adoration thy great Father hath or-

Thud. E H. l. 1. c. 5.

dered him to pay thee, falls into some Errors, as the Consequence of human Weakness; than with that imperious and tyrannical Disciple, who divides thy Members, tares the Bowels of thy Church, and spreads Confusion and Strife throughout thy Followers and Friends, even for the sake of Truths that lie remote from Mens Understanding, and in which thou hast not thought proper to make the full, the plain Decision. If Truth is not to be given up for the sake of Peace, I am sure Peace is not to be sacrificed for the sake of such Truths; and if the Gospel is a Rule worthy our Regard, the Clergy of those Times can never be excused for the Contentions they raised, and the Miseries they occasioned in the Christian World, upon Account of them.

The third and fourth General Councils seem to have met upon an Occasion of much the like Importance. The first Council of *Nice*, determined the Son to be a distinct Hypostasis, or Person from, but of the same Nature with the Father. The second at *Constantinople*, added the Holy Ghost to the same Substance of the Father, and made the same individual Nature to belong equally and wholly, to Father, Son, and Holy Ghost; thus making them three distinct Persons in one undivided Essence. But as they determined the Son to be truly Man, as well as truly God, the Bishops brought a new Controversy into the Church, and fell into furious Debates and Quarrels about his Personality. *Nestorius*, Bishop of *Constantinople*, with his Followers, maintained two distinct Persons in Christ, agreeable to his two distinct Natures. But Saint *Cyril*, the implacable Enemy of *Nestorius*, got a Council to decree, that the two Natures of God and Man being united together in our Lord, made one Person or Christ, and to curse all who should affirm that there were two distinct Persons or Subsistences in him. 'Tis evident, that either *Cyril*, and his Council, must have been in the wrong in this Decree, or the two former Councils of *Nice* and *Constantinople* wrong in theirs; because 'tis certain, that they decreed the Word PERSON to be used in two infinitely different Senses. According to those of *Nice* and *Constantinople*, one individual Nature or Essence contain'd three distinct Persons. According to *Cyril*'s Council, two Natures or Essences infinitely different, and as distinct as those of God and Man, constituted but one Person. Now how *one Nature should be three Persons, and yet two Natures one Person*, will require the Skill even of Infallibility it self to explain; and as these Decrees are evidently contradictory to one another, I am afraid we must allow, that the Holy Ghost had no Hand in one or other of them. This some of the Clergy very easily observed; and therefore, to maintain the Unity of the Person of Christ, *Eutyches* and *Dioscorus* maintained, that though Christ consisted of two Natures before his Incarnation, yet after that, he had but one Nature only. But this was condemned by the Council of *Chalcedon*, and the Contradictions of the former Councils declared all to be true, and render'd sacred with the Stamp of Orthodoxy. This was also ratified by the fifth Council under *Justinian*, who also piously and charitably raked into the Dust of poor *Origen*, and damned him for an Heretick. But still there was a Difficulty yet remaining, about the Person of Christ: For as Christ's being one Person did not destroy

the Diſtinction of his two Natures, it became a very important and warm Controverſy, Whether Chriſt had any more than one Will, as he was but one Perſon in two Natures? or, Whether he had not two Wills, agreeable to his two diſtinct Natures, united in one Perſon? This occaſioned the calling the ſixth General Council, who determined it for the two Wills; in which, according to my poor Judgment, they were very wrong. And had I had the Honour to have been of this venerable Aſſembly, I would have compleated the Myſtery, by decreeing, that as Chriſt had but one Perſon, he could have but one perſonal Will; but however, that as he had two Natures, he muſt alſo have two natural Wills. I beg my Reader's Pardon for thus preſuming to offer my own Judgment, in Oppoſition to the Decree of the holy Fathers; but at the ſame Time, I cannot help ſmiling at the Thought, of two or three hundred venerable Biſhops and Fathers thus trifling in Council, and ſolemnly playing at Queſtions and Commands, to puzzle others, and divert themſelves. Were it not for the fatal Conſequences that attended their Deciſions, I ſhould look on them as *Biſhops in Maſquerade*, met together only to ridicule the Order, or to ſet the People a laughing at ſo awkward a Mixture of Gravity and Folly. Surely the Reverend Clergy of thoſe Days had but little to do amongſt their Flocks, or but little Regard to the Nature and End of their Office. Had they been faithful to their Character, inſtead of *doting about Queſtions and Strifes of Words, whereof came Envy, Strife, Railings, evil Surmiſings, perverſe Diſputings of Men of corrupt Minds, and deſtitute of the Truth, ſuppoſing that Gain is Godlineſs*, they would have *conſented to, and taught wholſome Words, even the Words of our Lord Jeſus Chriſt, and the Doctrine which is according to Godlineſs.*

But this was not the Temper of the Times. It would have been indeed more tolerable, had the Clergy confined their Quarrels to themſelves, and quarrelled only about ſpeculative Doctrines and harmleſs Contradictions. But to intereſt the whole Chriſtian World in theſe Contentions, and to excite furious Perſecutions for the Support of Doctrines and Practices, even oppoſite to the Nature, and deſtructive of the very End of Chriſtianity, is equally monſtrous and aſtoniſhing. And yet this is the Caſe of the ſeventh General Council, who decreed the Adoration of the Virgin *Mary*, of Angels, and of Saints, of Relicts, of Images and Pictures, and who thereby obſcured the Dignity, and corrupted the Simplicity of the Chriſtian Worſhip and Doctrine. This the venerable Fathers of that Council did, and pronounced Anathemas againſt all who would not come into their idolatrous Practices, and excited the Civil Power to oppreſs and deſtroy them.

III. Surely it could not be a Zeal for God and Chriſt, and the Truth and Honour of Chriſtianity, no real Love to Piety and Vertue, that prompted and lead them on to theſe Acts of Injuſtice and Cruelty. Without any Breach of Charity, it may be aſſerted of moſt, if not all of them, that 'twas their Pride, and their immoderate Love of Dominion, Grandeur and Riches, that influenced them to theſe unworthy and wicked Meaſures. The Intereſt of Religion and Truth, the Honour of God and the Church, is, I know, the ſtale Pretence; but a Pretence, I

am afraid, that hath but little Probability or Truth to ſupport it. For what hath Religion to do with the Obſervation of Days? or, What could excite *Victor* to excommunicate ſo many Churches about *Eaſter*, but the Pride of his Heart, and to let the World ſee, how large a Power he had to ſend Souls to the Devil? How is the Honour of God promoted, by Speculations that have no Tendency to Godlineſs? Will any Man ſeriouſly affirm, that the ancient Diſputes about υποςασις, προσωπον, ιδιοτητες, φυσις, ομουσιος, ομοιουσιος, and the reſt of the hard Words that were invented, did any Honour to the Name of Chriſt, or were of any Advantage to the Religion of his Goſpel? Or, can he believe that *Alexander*, *Arius*, *Athanaſius*, *Macedonius*, and others, were influenced in all their Contentions and Quarrels, in all the Confuſions they were the Authors of, and the Murders they occaſioned, purely by religious Motives? Surely the Honour of Religion muſt be promoted by other Means; and genuine Chriſtianity may flouriſh, and, indeed, would have flouriſh'd much better, had theſe Diſputes never been introduced into the Church; or, had they been managed with Moderation and Forbearance. But ſuch was the Haughtineſs of the Clergy, ſuch their Thirſt of Dominion over the Conſciences of others, ſuch their Impatience of Contradiction, that nothing would content them but implicit Faith to their Creeds, abſolute Subjection to their Decrees, and Subſcription to their Articles without Examination or Conviction of their Truth; or for want of theſe, Anathemas, Depoſitions, Baniſhments and Death.

The Hiſtory of all the Councils, and of almoſt all the Biſhops that is left us, is a Demonſtration of this ſad Truth. What Council can be named, that did not aſſume a Power to explain, amend, ſettle, and determine the Faith? That did not anathematiſe and depoſe thoſe who could not agree to their Deciſions, and that did not excite the Emperors to oppreſs and deſtroy them? Was this the Humility and Condeſcention of Servants and Miniſters? Was not this lording it over the Heritage of God, ſeating themſelves in the Throne of the Son of God, and making themſelves owned as *Fathers and Maſters*, in Oppoſition to the expreſs Command of Chriſt to the contrary?

Clemens Romanus, in his firſt Epiſtle to the *Corinthians*, Cap. 44. tells us, That * *the Apoſtles knew, by the Lord Jeſus Chriſt, that the Epiſcopal Name and Office would be the Occaſion of Contention in the Chriſtian Church*; *a* † *noble Inſtance*, ſays the learned *Fell*, in his Remarks on the Place, *of the prophetick Spirit of the Apoſtolick Age. Formerly*, he adds, that *Mens Ambition and evil Practices to obtain this Dignity, produced Schiſms and Hereſies.* And 'twas indeed no Wonder that ſuch Diſorders and Confuſions ſhould be occaſioned, when the Biſhopricks were certain Steps, not only to Power and Dominion, but to the Emoluments and Advantages of Riches and Honours. Even long before the Time of *Conſtantine*, the Clergy had got a very great Aſcendant over the

Apud Cotel. p. 173. Edit. Amſtel.

* Και οι αποςολοι ημων εγνωσαν δια τυ κυριυ ημων Ιησυ χριςυ, οτι ερις εςαι επι τυ ονοματος της επισκοπης.

† Luculenta praeſenſio rerum —— quaeq; propheticum Apoſtolici ævi —— Spiritum profitetur. Olim ſchiſmata & hæreſes ſubinde ortæ, præ faſtigii iſtius deſiderio & ambitu.

 Laity,

Laity, and grew, many of them, rich, by the voluntary Oblations of the People: But the Grants of that Emperor confirm'd them in a worldly Spirit, and the Dignities and vast Revenues that were annexed to many of the Sees, gave Rise to infinite Evils and Disturbances. So they could but get Possession of them, they cared not by what Means, whether by clandestine Ordinations, scandalous Symony, the Expulsion of the Possessors, or through the Blood of their Enemies. How many Lives were lost at *Rome*, *Constantinople*, *Alexandria* and *Antioch*, by the furious Contentions of the Bishops of those Sees; deposing one another, and forcibly entring upon Possession? Would *Athanasius*, and *Macedonius*, *Damasus*, and others, have given Occasion to such Tumults, and Murders, merely for Words and Creeds, had there not been somewhat more substantial to have been got by their Bishopricks? Would *Cyril* have persecuted the *Novatians*, had it not been for the sake of their Riches, of which he plunder'd them, soon after his Advancement to the See of *Alexandria?* No. The Character given by the Historian of *Theodosius*, Bishop of *Synada*, may be too truly applied to almost all the rest of them; who persecuted the Followers of *Macedonius*, not from a Principle of Zeal for the Faith, but through a covetous Temper, and the Love of Money. This St. *Jerome* observed with Grief, in the Passage cited *p.* 31. of this Introduction; and *Ammianus Marcellinus*, an Heathen Writer, reproach'd them with, in the Passage cited *p.* 39.

IV. I think it will evidently follow, from this Account, that the Determinations of Councils, and the Decrees of Synods, as to Matters of Faith, are of no manner of Authority, and can carry no Obligation upon any Christian whatsoever. I will ~~not~~ mention here one Reason, which would be it self sufficient, if all others were wanting, *viz.* That they have no Power given them in any Part of the Gospel Revelation, to make these Decisions in controverted Points, and to oblige others to subscribe them; and that therefore the Pretence to it is an Usurpation of what belongs to the great God, who only hath, and can have a Right to prescribe to the Consciences of Men. But to let this pass, what one Council can be fixed upon, that will appear to be composed of such Persons, as, upon an impartial Examination, can be allowed to be fit for the Work of settling the Faith, and determining all Controversies relating to it? I mean in which the Majority of the Members may, in Charity, be supposed to be disinterested, wise, learned, peaceable and pious Men? Will any Man undertake to affirm this of the Council of *Nice?* Can any Thing be more evident than that the Members of that venerable Assembly, came, many of them, full of Passion and Resentment; that others of them were crafty and wicked, and others ignorant and weak? Did their Meeting together in a Synod immediately cure them of their Desire of Revenge, make the Wicked virtuous, or the Ignorant wise? If not, their joint Decree, as a Synod, could really be of no more Weight than their private Opinions; nor, perhaps, of so much; because, 'tis well known, that the great Transactions of such Assemblies, are generally managed and conducted by a few; and that Authority, Persuasion,

ſuaſion, Proſpect of Intereſt, and other temporal Motives, are commonly made Uſe of to ſecure a Majority. The Orthodox have taken Care to deſtroy all the Accounts given of this Council, by thoſe of the oppoſite Party; and *Euſebius*, Biſhop of *Cæſarea*, hath paſſed it over in Silence; and only dropped two or three Hints, that are very far from being favourable to thoſe reverend Fathers. In a Word, nothing can be collected from Friends or Enemies, to induce one to believe, that they had any of thoſe Qualifications which were neceſſary to fit them for the Province they had undertaken, of ſettling the Peace of the Church by a fair, candid and impartial Determination of the Controverſy that divided it: So that the Emperor *Conſtantine*, and *Socrates* the Hiſtorian, took the moſt effectual Method to vindicate their Honour, by pronouncing them inſpired by the Holy Ghoſt, which they had great need of, to make up the want of all other Qualifications.

The ſecond General Council were plainly the Creatures of the Emperor *Theodoſius*, all of his own Party, and convened to do as he bid them; which they did, by confirming the *Nicene* Faith, and condemning all Hereſies. The third General Council were the Creatures of *Cyril*, who was their Preſident, and the inveterate Enemy of *Neſtorius*, whom he condemned for Hereſy, and was himſelf condemned for his Raſhneſs in this Affair, and excommunicated by the Biſhop of *Antioch*. The fourth met under the Awes of the Emperor *Marcian*, managed their Debates with Noiſe and Tumult, were formed into a Majority by the Intrigues of the Legates of *Rome*; and ſettled the Faith by the Opinions of *Athanaſius*, *Cyril*, and others. I need not mention more; the farther we go the worſe they will appear. Now may it not be asked, How came the few Biſhops, who met by Command of *Theodoſius*, to be ſtiled an Oecumenical or General Council? As they came to decree, as he decreed they ſhould, what Authority, with any wiſe Man, can their Deciſions have? As they were all of one Side, except thirty ſix of the *Macedonian* Party, who were afterwards added; what leſs could be expected, but that they would decree themſelves Orthodox, eſtabliſh their own Creed, and anathematize all others for Hereticks? And as to the next Council, I confeſs I can pay no Reſpect or Reverence to a Set of Clergy, met under the Direction and Influence of a Man of *Cyril*'s Principles and Morals; eſpecially as the main Tranſaction of that Council was hurried on by a Deſire of Revenge, and done before the Arrival of the Biſhop of *Antioch*, with his ſuffragan Brethren, and condemned by him as ſoon as he was informed of it; till at length the Power and Influence of the Emperor reconciled the two haughty Prelates; made them reverſe their mutual Excommunications, decree the ſame Doctrine, and join in pronouncing the ſame Anathemas. Cannot any one diſcern more of Reſentment and Pride in their firſt Quarrel, than of a Regard to Truth and Peace; and more of Complaiſance to the Emperor than of Concern for the Honour of Chriſt in their after Reconciliation? And as to the next Council, let any one but read over the Account given of it by *Evagrius*; what horrible Confuſions there were amongſt them; how they threw about Anathemas and Curſes; how they father'd their Violences

on

on Christ; how they settled the Faith by the Doctrines of *Athanasius*, *Cyril*, and other Fathers; and if he can bring himself to pay any Reverence to their Decrees, I envy him not the Submission he pays them, nor the Rule by which he guides and determines his Belief.

I confess I cannot read the Account of these Transactions, their ascribing their Anathemas and Curses to Christ and the Holy Trinity, and their Decisions as to the Faith, to the Holy Ghost, without Indignation at the horrid Abuse of those sacred Names. Their very Meeting to pronounce Damnation on their Adversaries, and to form Creeds for the Consciences of others, is no less than a Demonstration that they had no Concurrence of the Son of God, no Influence of the Holy Spirit of God. The Faith was already settled for them, and for all other Christians in the sacred Writings, and needed no Decision of Councils to explain and amend it. The very Attempt was Insolence and Usurpation. Infallibility is a necessary Qualification for an Office of such Importance. But what Promise is there made to Councils of this divine Gift? or, if there should be any such Promise made to them; yet the Method of their Debates, their scandalous Arts to defame their Adversaries, and the Contradictions they decreed for Truth and Gospel, proves, to the fullest Conviction, that they forfeited the Grace of it. And indeed, if *the Fruits of the Spirit are Love, Peace, Long-suffering, Gentleness, Goodness, and Meekness*, there appeared few or no Signs of them in any of the Councils. The Soil was too rank and hot to produce them.

I wish, for the Honour of the former Times, I could give a better Account of these Assemblies of the Clergy, and see Reason to believe my self that they were, generally speaking, Men of Integrity, Wisdom, Candour, Moderation and Virtue. The Debates of such Men would have deserved Regard, and their Opinions would have challenged a proper Reverence. But even had this been the Case, their Opinions could have been no Rule to others, and how great a Veneration soever we might have had for their Characters, we ought, as Men and Christians, to have examined their Principles. There is one Rule superior to them and us, by which Christians are to try all Doctrines and Spirits; the Decision of which, is more sacred than that of all human Wisdom and Authority, and every where, and in all Ages obligatory. But as the ancient Councils consisted of Men of quite other Dispositions; and as their Decisions in Matters of Faith were arbitrary and unwarranted; and as those Decisions themselves were generally owing to Court Practices, intriguing Statesmen, the Thirst of Revenge, the Management of a few crafty interested Bishops, to Noise and Tumult, the Prospects and Hopes of Promotions and Translations, and other the like Causes; the Reverence paid them by many Christians is truly surprizing; and I cannot account for it any way but one, *viz.* that those who thus cry up their Authority, are in hopes of succeeding them in their Power; and therefore would feign persuade others that their Decrees are sacred and binding, to make way for the imposing of their own.

It

It would be well worth the while of some of these Council-mongers to lay down some proper Rules and Distinctions, by which we may judge what Councils are to be received, and which to be rejected; and particularly why the four first General Councils should be submitted to in Preference to all others. Councils have often decreed contrary to Councils, and the same Bishops have decreed different Things in different Councils; and even the third and fourth General Councils determined the Use of the Word PERSON, in an infinitely different Sense from what the two first did. Heretical Councils, as they are called, have been more in Number than some Orthodox general ones, called by the same imperial Authority, have claimed the same Powers, pretended to the same Influence of the Holy Ghost, and pronounced the same Anathemas against Principles and Persons. By what *Criteria* or certain Marks then must we judge, which of these Councils are thieving, general, particular, orthodox, heretical, and which not? The Councils themselves must not be Judges in their own Cause; for then we must receive, or reject them all. The Characters of the Bishops that composed them will not do, for their Characters seem equally amiable and Christian on each side. The Nature of the Doctrine, *as decreed by them*, is far from being a safe Rule; because, if human Authority, or Church Power makes Truth in any Case, it makes it in every Case; and therefore, upon this Foot the Decrees at *Tyre* and *Ephesus*, are as truly binding as those at *Nice* and *Chalcedon*. Or, if we must judge of the Councils by the Nature of the Doctrine, abstracted from all human Authority, those Councils can have no Authority at all. Every Man must sit in Judgment over them, and try them by Reason and Scripture, and reject and receive them, just as he would do the Opinions of any other Persons whatsoever. And, I humbly conceive, they should have no better Treatment, because they deserve none.

V. If then the Decrees of Fathers and Councils, if the Decisions of human Authority in Matters of Religion, are of no avail, and carry with them no Obligation, it follows, that the imposing Subscriptions to Creeds and Articles of Faith, as Tests of Orthodoxy, is a Thing unreasonable in it self, as it hath proved of infinite ill Consequence in the Church of God.

I call it an *unreasonable Custom*, not only because where there is no Power to make Creeds for others, there can be no Right to impose them; but because no one good Reason can be assigned for the Use and Continuance of this Practice. For, as my Lord Bishop of *London* admirably well explains this Matter, *As long as Men are Men, and have different Degrees of Understanding, and every one a Partiality to his own Conceptions, it is not to be expected that they should agree in any one entire Scheme, and every Part of it, in the Circumstances as well as the Substance, in the Manner of Things, as well as in the Things themselves. The Question therefore is not in general about a Difference in Opinion, which, in our present State, is unavoidable; but about the Weight and Importance of the Things wherein Christians differ, and the Things wherein they agree. And it will appear, that the several Denominations of Christians agree both in the Substance of Religion, and*

Bishop of London, *2d Past. Let.* p. 24, 25. M. p. 120.

in the necessary Inforcements of the Practice of it. That the World, and all Things in it, were created by God, and are under the Direction and Government of his all powerful Hand, and all seeing Eye; that there is an essential Difference between Good and Evil, Virtue and Vice; that there will be a State of future Rewards and Punishments according to our Behaviour in this Life; that Christ was a Teacher sent from God, and that his Apostles were divinely inspired; that all Christians are bound to declare and profess themselves to be his Disciples; that not only the Exercise of the several Virtues, but also a Belief in Christ is necessary in order to their obtaining the Pardon of Sin, the Favour of God, and eternal Life; that the Worship of God is to be performed chiefly by the Heart, in Prayers, Praises, and Thanksgivings; and, as to all other Points, that they are bound to live by the Rules which Christ and his Apostles have left them in the Holy Scriptures. Here then, adds the learned Bishop, *is a fixed, certain, and uniform Rule of Faith and Practice, containing all the most necessary Points of Religion, established by a divine Sanction, embraced as such, by all Denominations of Christians, and in it self abundantly sufficient to preserve the Knowledge and Practice of Religion in the World. As to Points of greater Intricacy, and which require uncommon Degrees of Penetration and Knowledge; such indeed, have been Subjects of Dispute amongst Persons of Study and Learning in the several Ages of the Christian Church; but the People are not obliged to enter into them, so long as they do not touch the Foundations of Christianity, nor have an Influence upon Practice. In other Points it is sufficient that they believe the Doctrines, so far as they find, upon due Enquiry and Examination, according to their several Abilities and Opportunities, that God hath revealed them.* This incomparable Passage of this Reverend and truly Charitable Prelate, I have transcribed intire; because it will undoubtedly give a Sanction to my own Principles of universal Benevolence and Charity. His Lordship affirms, that *all Denominations of Christians* (he will allow me to mention a few of them; Socinians, Arians, Athanasians, Sabellians, Pelagians, Arminians, Calvinists, Episcopalians, Presbyterians, Independants, Anabaptists, *&c.*) *agree in the Substance of Religion, and in the necessary Enforcements of the Practice of it*; inasmuch as they do all believe firmly and sincerely, those Principles which his Lordship calls, with great Reason and Truth, *a fixed, certain, and uniform Rule of Faith and Practice, as containing all the most necessary Points of Religion, and in it self abundantly sufficient to preserve the Knowledge and Practice of Religion in the World.* My Inference from this noble Concession, for which all the Friends to Liberty, in Church and State, throughout *Great Britain*, will thank his Lordship, is this; that since all Denominations of Christians do, in his Lordship's Judgment, receive his fixed, certain, and uniform Rule of Faith, and embrace all the most necessary Points of Religion; to impose Subscriptions to Articles of Faith and human Creeds, must be a very unreasonable and needless Thing: For either such Articles and Creeds contain nothing more than this same Rule of Faith and Practice; and then all Subscriptions to them is Impertinent; because this is already received by all Denominations of Christians, and is abundantly sufficient, by the Bishop's own Allowance, to preserve the Knowledge and Practice of Religion in the World: Or such Articles and Creeds contain something more than

than his Lordship's fixed Rule of Faith and Practice, something more than all the most necessary Points of Religion, something more than is sufficient to preserve the Knowledge and Practice of Religion in the World, *h. e.* some very unnecessary Points of Religion; something on which the Preservation of Religion doth not depend; and of Consequence, Subscriptions to unnecessary Articles of Faith, on which Religion doth not depend, can never be necessary to qualify any Person for a Minister of the Church of Christ, and therefore not for the Church of *England*, if that be Part of the Church of Christ. And this is the more unnecessary, because, as his Lordship farther well observes, *the People are not obliged to enter into them, so long as they do not touch the Foundations of Christianity*, i. e. so far as his Lordship's certain, fix'd and uniform Rule, which contains all necessary Points of Religion, is not affected by them. And if the People are not obliged to enter into Points of great Intricacy and Dispute, I humbly conceive, the Clergy cannot be obliged to preach them; and that of Consequence 'tis as absurd to impose upon them Subscriptions to such Things, as to oblige them to subscribe what they need not preach, nor any of their People believe.

Upon his Lordship's Principles, the imposing Subscriptions to the hard unscriptural Expressions of the *Athanasians* and *Arians*, by each Party in their Turns, and to the thirty nine Articles of the Church of *England*, must be a very unreasonable and unchristian Thing; because, the Peculiarities to be subscribed, do not one of them, enter into his specified Points of Religion, and are not necessary to preserve Religion in the World; and after so publick a Declaration of Charity towards all Denominations of Christians, and the Safety of Religion and the Church, upon the general Principles he hath laid down, there is no Reason to doubt but his Lordship will use that Power and Influence which God hath entrusted him with, to remove the Wall of Separation in the established Church, in order to the uniting all differing Sects, all Denominations of Christians, in one visible Communion; and that he will join in that most Christian and Catholick Prayer of one of his own Brethren, though disapproved of by another of narrower Principles, *Blessed be they who have contributed to so good a Work.* Subscriptions have ever been a Grievance in the Church of God, and the first Introduction of them was owing to Pride, and the Claim of an unrighteous and ungodly Power. Neither the Warrant of Scripture, nor the Interest of Truth made them necessary. 'Tis, I think, but by few, if any, pretended that the sacred Writings countenance this Practice. They do indeed abound with Directions and Exhortations to *adhere stedfastly to the Faith, not to be moved from the Faith,* nor *tossed about with every Wind of Doctrine.* But what is the Faith which we are to adhere to? What the Faith established and stamped for Orthodox by the Bishops and Councils? Ridiculous! If this was the Case, our Faith must be as various as their Creeds, and as absurd and contradictory as their Decisions. No, The Faith we are to be grounded and settled in, is that *which was at once delivered to the Saints,* that which was preached by the Apostles to *Gentiles*, as well as *Jews*; *the wholesome Words we are to consent to are the Words of*

Bishop of Bangor's *Answer to the Dean of* Worcester. *Postscript,* p. 207.

of our Lord Jesus Christ, and the Doctrine which is according to Godliness. This all genuine Christians receive, out of regard to a much higher Authority than belongs to any Set of Men in the World; and therefore the Sanction of Fathers and Councils in this Case, is as impertinent as a Man's pretending to give a Sanction to the Constitutions of the Great God. And as to all other Articles of Faith, neither they, nor any others, have any Commission to impose them on the Consciences of Men, and the Moment they attempt to do it, they cease to be Servants in the House of God, and act as the true and proper Lords of the Heritage.

But it may be said, That *the Church hath Power to determine in Controversies of Faith; so as not to decree any thing against Scripture, nor to enforce any thing to be believed as necessary to Salvation besides it*; i. e. I suppose the Church hath Power to guard the Truths of Scripture; and in any Controversies about Doctrines, to determine what is or is not agreeable to Scripture, and to enforce the Reception of what they thus decree, by obliging others to subscribe to their Decisions. If this be the Case, then it necessarily follows, that their Determinations must be ever right, and constantly agreeable to the Doctrine of holy Writ; and that they ought never to determine, but when they are in the Right, and are sure they are in the Right; because, if the Matter be difficult in its Nature, or the Clergy have any Doubts and Scruples concerning it, or are liable to make false Decisions, they cannot, with any Reason, make a final Decision; because 'tis possible they may decide on the wrong side of the Question; and thus decree Falshood instead of Truth. And I presume there are but few who will claim, in Words, so extraordinary a Power as that of establishing Falshood in the room of Truth and Scripture. And even supposing their Decisions to be right, how will it follow that they have a Power to oblige others to submit to and subscribe them? If by sound Reason and Argument they can convince the Consciences of others, they are sure of the Agreement of all such with them in Principle; and upon this Foot Subscriptions are wholly useless; and if they cannot convince them, 'tis a very unrighteous Thing to impose Subscriptions on them; and a shameful Prevarication with God and Man for any to submit to them without it. Decisions made in Controversies of Faith, by the Clergy, carry in them no Force nor Evidence of Truth. Let their Office be ever so sacred, it doth not exempt them from human Frailties and Imperfections. They are as liable to Error and Mistake, to Prejudice and Passion, as any of the Laity whatsoever can be. How then can the Clergy have any Authority in Controversies of Faith, which the Laity have not? That they have erred in their Decisions, and decreed Light to be Darkness, and Darkness Light; that they have perplexed the Consciences of Men, and corrupted the Simplicity of the Faith in Christ, all their Councils and Synods are a notorious Proof. With what Justice or Modesty then can they pretend to a Power of obliging others to believe their Articles, or subscribe them? If I was to speak the real Truth, it will be found, that those numerous Opinions which have been anathematised as Heretical, and which have

have broken the Christian World into Parties, have been generally invented, and broached, and propagated by the Clergy; witness *Arius*, *Macedonius*, *Nestorius*, *Eutyches*, *Dioscorus*, and others; and therefore if we may judge by any Observations made on the Rise of Heresy, what is a proper Method to put a Stop to the Progress of it, it cannot be the Clergy's forming Articles of Faith, and forcing others to subscribe them; because this is the very Method by which they have established and propagated it.

The Truth is, this Method of preventing Error will suit all Religions, and all Sorts of Principles whatsoever, and is that by which Error maintains its Ground, and is indeed render'd impregnable. All the different Sorts of *Christians*, *Papists* and *Protestants*, *Greeks*, *Lutherans*, *Calvinists* and *Arminians*, cannot certainly be right in their discriminating Principles. And yet where shall we find any Clergy that don't pretend a Right to impose Subscriptions, and who do not maintain the Truth of the Articles to which they make such Subscription necessary? Upon this Foot the Doctrines of the Council of *Trent*, the thirty nine Articles of the Church of *England*, and the Assemblies Confession of Faith, are all of them equally true, Christian and Sacred; for they are in different Places embraced as Standards of Orthodoxy, and their Sacredness and Authority secur'd and maintain'd by the Subscriptions of the Clergy to them: And therefore, I think it as little agreeable to Prudence as it is to Justice for Christians to keep up a Practice that may be so easily, and hath been so often turned into a Security for Heresy, Superstition and Idolatry; and especially for Protestants to ware any longer these Marks of Slavery, which their Enemies, whenever they have Power, will not fail to make Use of, either to fetter their Consciences, or distinguish them for the Burning.

But it may be said that the Abuse of Subscriptions is no Argument against the Use of them; and that, as they are proper to discover what Mens Sentiments are, they may be so far sometimes a Guard and Security to the Truth. But as all Parties, who use them, will urge this Reason for them, that they are in Possession of the Truth, and therefore willing to do all they can to secure and promote it; of Consequence Subscriptions to Articles of Faith can never be looked on properly as Guards to real Truth, but as Guards to certain prevailing Principles, whether true or false. And even in this Case they are wholly Ineffectual. The Clergy of the Church of *England* are bound to subscribe the thirty nine Articles, *i.e.* to the Truth of *Athanasian* and *Calvinistick* Principles. But hath this Subscription answer'd its End? Do not the Clergy, who are all Subscribers, and who often repeat their Subscriptions, differ about these Heads as much as if they had never subscribed at all? Men that have no Principles of Religion and Virtue, but enter the Church only with a View to the Benefices and Preferments of it, will subscribe ten thousand Times over, and to any Articles that can be given them, whether true or false. Thus the *Asiatick* Bishops subscribed to the Condemnation of the Decrees of the Council of *Chalcedon*, and inform *Basiliscus* the Emperor that their Subscriptions were voluntary. And yet when *Basiliscus* was deposed, they immediately subscribed to the Truth of those Decrees, and swore their

firſt Subſcription was involuntary. So that Subſcriptions cannot keep out any Atheiſts, Infidels, or profligate Perſons. And as to others, daily Experience teaches us, that they either disbelieve the Articles they ſubſcribe, ſubſcribing them only as Articles of Peace; or elſe, that after they have ſubſcribed them, they ſee Reaſon, upon a more mature Deliberation, to alter their Minds, and change their original Opinions. So that till Men can be brought always to act upon Conſcience, never to ſubſcribe what they do not believe, nor ever to alter their Judgment, as to the Articles they have ſubſcribed; Subſcriptions are as impertinent and uſeleſs as they are unreaſonable, and can never anſwer the Purpoſes of thoſe who impoſe them.

But I apprehend farther, that this impoſing of Subſcriptions is *not only an unreaſonable Cuſtom*, but attended with many very pernicious Conſequences. It is a great Hindrance to that Freedom and Impartiality of Inquiry which is the unalterable Duty of every Man, and neceſſary to render his Religion reaſonable and acceptable. For why ſhould any Perſon make any Inquiries for his own Information, when his Betters have drawn up a Religion for him, and thus kindly ſaved him the Labour and Pains? And as his worldly Intereſt may greatly depend on his doing as he is bid, and ſubſcribing as he is ordered; is it not reaſonable to think that the generality will contentedly take every thing upon Truſt, and prudently refrain from creating to themſelves Scruples and Doubts, by nicely examining what they are to ſet their Hands to, leaſt they ſhould miſs of Promotion for not being able to comply with the Condition of it, or enjoy their Promotions with a diſſatisfied and uneaſy Conſcience?

Subſcriptions will, I own, ſometimes prove Marks of Diſtinction, and as Walls of Separation: For though Men of Integrity and Conſcience may, and oftentimes undoubtedly do ſubmit to them; yet Men of no Principles, or very looſe ones, worldly and ambitious Men, the Thoughtleſs and Ignorant, will moſt certainly do it, when they find it for their Intereſt. The Church that encloſes her ſelf with theſe Fences, leaves abundant Room for the Entrance of Perſons of ſuch Characters. To whom then doth ſhe refuſe Admittance? Why, if to any, it muſt be to Men who cannot bend their Conſciences to their Intereſt; who cannot believe, without Examination, nor ſubſcribe any Articles of Faith as true, without underſtanding and believing them. 'Tis in the very Nature of Subſcriptions to exclude none but theſe, and to diſtinguiſh ſuch only for Shame and Puniſhment. Now how is this conſiſtent with any Thing that is called Reaſon or Religion? If there could be found out any wiſe and reaſonable Methods to throw out of the Chriſtian Church and Miniſtry, Men who are in their Hearts Unbelievers, who abide in the Church only for the Revenues ſhe yields to them, who ſhift their religious and political Principles, according to their Intereſt, who propagate Doctrines inconſiſtent with the Liberties of Mankind, and are ſcandalous and immoral in their Lives; if Subſcriptions could be made to anſwer theſe Ends, and theſe only, and to throw Infamy upon ſuch Men, and upon ſuch Men only; no one would have any Thing to alledge againſt the Uſe of them.

Whereas,

Whereas, in Truth, Subscriptions are the great Securities of such profligate Wretches, who, by complying with them, enter into the Church, and thereby share in all the temporal Advantages of it; whilst the scrupulous, conscientious Christian is the only one she excludes, who thinks the Word of God a more sure Rule of Faith than the Dictates of Men; and that Subscriptions are Things much too sacred to be trifled with, or lightly submitted to.

They are indeed very great Snares to many Persons, and Temptations to them too often to trespass upon the Rules of strict Honesty and Virtue. For when Mens Subsistence and Advantages in the World depend on their subscribing to certain Articles of Faith, 'tis one of the most powerful Arguments that can be, to engage them to comply with it. 'Tis possible indeed they may have their Objections against the Reasonableness and Truth of what they are to subscribe. But will not Interest often lead them to overlook their Difficulties, to explain away the natural Meaning of Words, to put a different Sense upon the Articles than what they will fairly bear, to take them in any Sense, and to subscribe them in no Sense only as Articles of Peace? It must be by some such Evasions that *Arians* subscribe to *Athanasian* Creeds, and *Arminians* to Principles of rigid *Calvinism*. This the Clergy have been again and again reproach'd with, even by the Enemies of Christianity. And I am sorry to say it, they have not been able to wipe off the Scandal from themselves. I am far from saying or believing that all the Clergy make these evasive Subscriptions: Those only that do so give this Offence; and if they are, in other Cases, Men of Integrity and Conscience, they are Objects of great Compassion. As far as my own Judgment is concerned, I think this Manner of Subscribing to Creeds and Articles of Faith, is infamous in its Nature, and vindicable upon no Principles of Conscience and Honour. It tends to render the Clergy contemptible in the Eyes of the People, who will be apt to think that they have but little Reason to regard the Sermons of Men, who have prevaricated in their Subscriptions, and that they preach for the same Reason only that they subscribed, *viz.* their worldly Interest. 'Tis of very pernicious Influence and Example, and in its Consequences leads to the Breach of all Faith amongst Mankind, and tends to the Subversion of civil Society. For if the Clergy are known to prevaricate in subscribing to religious Tests of Orthodoxy, is it not to be fear'd that others may learn from them to prevaricate in their Subscriptions to civil Tests of Loyalty? And indeed, there is a great deal of Reason to imagine, that if Men can tutor and twist their Consciences so as to subscribe Articles of Faith, contrary to their own Persuasion, and only as Articles of Peace, or a Qualification for a Living, they would subscribe for the same Reason to Popery or Mahometanism; for if this be a good Reason for subscribing any Articles which I do not believe, 'tis a Reason for subscribing all; and therefore I humbly apprehend that a Practice, which gives so much Occasion to such scandalous Prevarications with God and Man, should be cast off as an insufferable Grievance, and as an Yoak upon the Necks of the Clergy, too heavy for them to bear.

Let

Let me add farther, that this Practice of imposing Subscriptions, hath been the Occasion of innumerable Mischiefs in the Church of God. 'Twas the common Cry of the Orthodox and *Arians*, and all other Hereticks, in their Turns of Power, *Either subscribe or depart from your Churches*. This enflamed the Clergy against each other, and filled them with Hatred, Malice and Revenge. For as by imposing these Subscriptions, Inquisition was made into the Consciences of others; the Refusal to submit to them was a certain Mark of Heresy and Reprobation; and the Consequence of this was the Infliction of all spiritual and temporal Punishments. 'Twas impossible but that such Procedures should perpetuate the Schisms and Divisions of the Church, since the Wrath of Man cannot work the Righteousness of God, and since Civil Punishments have no Tendency to convince the Conscience, but only to enflame the Passions against the Advisers and Inflicters of them. And as ecclesiastical History gives us so dreadful an Account of the melancholy and tragical Effects of this Practice, one would think that no Nation, who knew the Worth of Liberty, no Christan Protestant Church, that hath any Regard for the Peace of the Flock of Christ, should ever be found to authorize and continue it.

VI. What Security then shall we have left us for Truth and Orthodoxy, when our Subscriptions are gone? Why, the sacred Scriptures, those Oracles of the great God, and Freedom and Liberty to interpret and understand them as we can; the Consequence of this would be great Integrity and Peace of Conscience, in the Enjoyment of our religious Principles, Union and Friendship amongst Christians, notwithstanding all their Differences in Judgment, and great Respect and Honour to those faithful Pastors, that carefully feed the Flock of God, and lead them into Pastures of Righteousness and Peace. We shall lose only the Incumbrances of Religion, our Bones of Contention, the Shackles of our Consciences, and the Snares to Honesty and Virtue; whilst all that is substantially good and valuable, all that is truly divine and heavenly, would remain to enrich and bless us. The Clergy would indeed lose their Power to do Mischief; but would they not be happy in that Loss, especially as they would be infinitely more likely to do good? They would be no longer looked on as Fathers and Dictators in the Faith; but still they might remain Ambassadors for Christ, beseeching Men, in Christ's stead, to become reconciled to God. And was all human Authority, in Matters of Faith, thus wholly laid aside, would not the Word of God have a freer Course, and be much more abundantly glorified? All Christians would look upon Scripture as the only Rule of their Faith and Practice, and therefore search it with greater Diligence and Care, and be much more likely to understand the Mind of God therein. The main Things of Christianity, would unquestionably be generally agreed to by all; and as to other Things, Points of Speculation, and difficult Questions, if Christians differ'd about them, their Differences would be of no great Importance, and might be maintained, consistent with Charity and Peace.

In-

Indeed, a ſtrict and conſtant Adherence to Scripture, as the only Judge in Controverſies of Chriſtian Faith, would be the moſt likely Method to introduce into the Church, a real Uniformity of Opinion as well as Practice. For if this was the Caſe, many Diſputes would be wholly at an End, as having nothing to give Occaſion to them in the ſacred Writings; and all others would be greatly ſhorten'd, as hereby all foreign Terms, and human Phraſes of Speech, by which the Queſtions that have been controverted amongſt Chriſtians, have been darken'd and perplexed, would be immediately laid aſide, and the only Enquiry would be, What is the Senſe of Scripture? What the Doctrine of Chriſt and his Apoſtles? This is a much more ſhort and effectual Way of determining Controverſies, than ſending Men to *Nice* and *Chalcedon*, to Councils and Synods, to *Athanaſius* or *Arius*, to *Calvin* or *Arminius*, or any other Perſons whatſoever that can be mentioned, who at beſt deliver but their own Senſe of Scripture, and are not to be regarded any farther than they agree with it. It was a Departure from this, as the great Standard of Faith, and corrupting the Simplicity of the Goſpel Doctrine by hard unſcriptural Words, that gave Occaſion to the innumerable Controverſies, that formerly troubled the Chriſtian Church. Human Creeds were ſubſtituted in the Room of Scripture; and according as Circumſtances differ'd, or new Opinions were broached, ſo were the Creeds corrected, amended and enlarged, till they became ſo full of Subtleties, Contradictions, and Nonſenſe, as muſt make every thoughtful Man read many of them with Contempt. The Controverſy was not about Scripture Expreſſions, but about the Words of Men, not about the Senſe of Scripture, but the Decrees of Councils, and the Opinions of *Athanaſius*, *Leo*, *Cyril*, and the venerable Fathers. And upon this foot 'twas no Wonder their Diſputes ſhould be endleſs; ſince the Writings of all fallible Men muſt certainly be more obſcure and intricate than the Writings of the infallible Spirit of Truth, who could be at no Loſs about the Doctrines he dictated, nor for proper Words ſuitably to expreſs them. 'Tis infinite, 'tis endleſs Labour, to conſult all that the Fathers have written; and when we have conſulted them, What one Controverſy have they rationally decided? What one Chriſtian Doctrine have they clearly and ſolidly explain'd? How few Texts of Scripture have they critically ſettled the Senſe and Meaning of? How often do they differ from one another, and in how many Inſtances from themſelves? Thoſe who read them greatly differ in their Interpretation of them; and Men of the moſt contrary Sentiments, all claim them for their own. *Athanaſians* and *Arians* appeal to the Fathers, and ſupport their Principles by Quotations from them. And are theſe the venerable Gentlemen whoſe Writings are to be ſet up in Oppoſition to the Scripture, or ſet up as authoritative Judges of the Senſe of Scripture? Are Creeds of their dictating to be ſubmitted to as the only Criterion of Orthodoxy, or eſteemed as Standards to diſtinguiſh between Truth and Error? Away with this Folly and Superſtition! The Creeds of the Fathers and Councils are but human Creeds, that have all the Marks in them of human Frailty and Ignorance. The Creeds which are to be found in the Goſpel, are the infallible Dictates of the

the Spirit of the God of Truth, and as such, claim our Reverence and Submission; and as the forming our Principles according to them, as far as we are able to understand them, makes us Christians in the Sight of God, it should be sufficient to every ones being owned as a Christian by others, without their using any inquisitory Forms of Trial, till they can produce their Commission from Heaven for the Use of them. This, as it is highly reasonable in it self, would do the highest Honour to the Christian Clergy; who, instead of being reproach'd for Haughtiness and Pride, as Incendiaries and Plagues of Mankind, as the Sowers of Contention and Strife, and Disturbers of the Peace of the Church of God; would be honoured for their Works sake, esteemed for their Characters, lov'd as Blessings to the World, heard with Pleasure, and successful in their Endeavours to recommend the Knowledge and Practice of Christianity.

VII. Were the Doctrines of the Gospel regarded as they should be, and the Precepts of the Christian Religion submitted to by all who profess to believe it, universal Benevolence would be the certain Effect, and eternal Peace and Union would reign amongst the Members of the Christian Church. For if there are any Commands of certain Clearness, any Precepts of evident Obligation in the Gospel, they are such as refer to the Exercise of Love, and the maintaining universal Charity. In our Saviour's admirable Discourse on
Matt. v. the Mount, this was the excellent Doctrine he taught: *Blessed are the Meek, for*
5, 7, 9. *they shall inherit the Earth. Blessed are the Merciful for they shall obtain Mercy.*
Blessed are the Peace-makers, for they shall be called the Children of God. And in ano-
Matt. xxii. ther Place, describing the Nature of Religion in general, he tells us, that *the*
35. *Love of God is the first Commandment, and that the second is like unto it; Thou*
shalt love thy Neighbour as thy self. This he enjoins upon his Disciples as his
John xv. peculiar Command: *This is my Commandment, that ye love one another, as I have*
12. *loved you*; and recommends it to them as that whereby they were to be distin-
xiii. 34. guished from all other Persons. *A new Commandment I give unto you, that ye love*
35. *one another as I have loved you, that ye also love one another. By this shall all Men*
know that ye are my Disciples, if ye have Love one to another. This was the more
needful for them, considering that our Lord foreknew the grievous Persecutions that would befal them for his sake; to encourage them under which, he
Matt. v. pronounces them blest: *Blessed are they which are persecuted for Righteousness sake,*
10. *for theirs is the Kingdom of Heaven*; whilst, at the same time, he leaves a Brand
12. of Infamy on Persecutors, and marks them out for the Vengeance of God: *Rejoice and be exceeding glad, for great is your Reward in Heaven; for so persecuted they*
Luke xi. *the Prophets that were before you. Woe unto you, for ye build the Sepulchres of the*
47, &c. *Prophets, and your Fathers killed them; therefore, saith the Wisdom of God, I will send you Prophets and Apostles, and they will slay and persecute them, that the Blood of all the Prophets—— may be required of this Generation.* And, indeed, so far was our Lord from encouraging any persecuting Methods, that he rebuked and put a Stop to all the Appearances of them. Thus when his Disciples would have called down Fire from Heaven to consume the *Samaritans,*

ritans, who refused to receive him, he rebuked them, and said, *Ye know not* Luke ix.
what manner of Spirit ye are of; the Son of Man is not come to destroy Mens Lives, 55, 56.
but to save them; and when one of those who were with Christ cut off the Ear of one of the high Priest's Servants, upon his laying Hands on him, he severely reproved him; *Put up again thy Sword into its Place; for all they that take the* Matt.
Sword shall perish with the Sword. And, in order to cure his Apostles of their xxvi. 52.
Ambition and Pride, and to prevent their claiming an undue Power, he gave them an Example of great Humility and Condescention, in washing and wiping their Feet, and forbid them imitating the Gentiles, *by exercising* xx. 25,
Dominion and Authority; but whoever will be great amongst you, let him be your &c.
Minister; and whosoever will be chief amongst you, let him be your Servant, even as the Son of Man came not to be minister'd unto, but to minister, and to give his Life a Ransom for many. And as the Jewish Teachers took on them the Name of Rabbi, to denote their Power over the Consciences of those they instructed, he commanded his Disciples, *Be ye not called Rabbi, for one is your Master, even* xxiii. 8,
Christ, and all ye are Brethren; and call no Man Father upon Earth, for one is your &c.
Father, which is in Heaven. But he that is greatest amongst you, shall be your Servant. From these, and other Passages of like Nature, it is very evident, that there is nothing in the Life of Jesus Christ, that gives any Countenance to these wicked Methods of propagating and supporting Religion, that some of his pretended Followers have made use of, but the strongest Directions to the contrary.

It is indeed objected, that Christ says, *Compel them to come in, that my House* Luke xiv.
may be full: But that this Compulsion means nothing more than Invitation and 23.
Persuasion, is evident, from the parallel Place of Scripture, where what St. *Luke* calls, *Compel them to come in*, is expressed by, *Bid them to the Marriage*, i. e. Matt. xxii.
endeavour, not by Force of Arms, but by Argument and Reason, by Im- 9.
portunity and Earnestness, and by setting before Men the Promises and Threatnings of the Gospel, and thus addressing your selves to their Hopes and Fears, to persuade and compel them to embrace my Religion, and become the Subjects of my Kingdom; and in this moral Sense of Compulsion, the original Word is often used. But farther, 'tis, by a late Writer, reckon'd Christiani-
very surprizing, that Christ should say, *Think not I am come to send Peace, I* ty as old,
come not to send Peace, but a Sword; for I am come to set a Man at Variance with &c. p. 305.
his Father, and the Daughter against her Mother, &c. But how is this so very Matt. x.
surprizing? or what Man of common Sense can mistake the Meaning of the 34, 35.
Words, who reads the whole Discourse? In the former Part of it, 'tis expresly declared, that the most grievous Persecutions should befall his Disciples for his sake; *that Brother should deliver up Brother to Death, and the Father the Child; and the Children shall rise up against their Parents, and cause them to be put to Death.* Can any Man understand this of an Intention in Christ to set People at Variance, when 'tis a Prediction only of what should be the Consequence of publishing his Gospel, through the Malice and Cruelty of its Opposers; a Prediction of what his Disciples were to suffer, and not of what they were to make others to suffer. And as to that Pas-

Luke xii. 49, 51. ſage in *Luke, I am come to ſend Fire on the Earth; and what will I, if it be already kindled? Suppoſe ye that I am come to give Peace on Earth? I tell you nay, but rather Diviſion.* How is it explain'd by Chriſt himſelf? Why, in the very next Words: *For from henceforth,* i. e. upon the Publication of my Religion and Goſpel, *there ſhall be five in one Houſe divided, three againſt two, and two againſt three,* &c. Can any Man need Paraphraſe and Criticiſm to explain theſe Paſſages of any Thing, but of that Perſecution which ſhould befall the Preachers and Believers of the Goſpel? Or imagine it to be a prophetick Deſcription of a Fire to be blown up by Chriſt to conſume others, when the whole Connection evidently refers it to a Fire, that the Oppoſers of his Religion ſhould blow up, to conſume himſelf and Followers? Jeſus knew 'twas ſuch a Fire as would firſt conſume himſelf. *I am come to ſend Fire on the Earth; and what will I, if it be already kindled?* Or, as the Words ſhould be tranſlated, *How do I wiſh it was already kindled?* How do I wiſh it to break out on my own Perſon, that I might glorify God by my Sufferings and Death? For as it follows, *I have a Baptiſm to be baptized with,* a Baptiſm with my own Blood: *And how am I ſtraiten'd till it be accompliſh'd!* After this Account of his own Sufferings, he foretells the ſame ſhould befall his Followers: *Suppoſe ye that I am come to give Peace on Earth? I tell you, Nay, but rather Diviſion,* i. e. as I my ſelf muſt ſuffer to bear Witneſs to the Truth, ſo, after my Deceaſe, ſuch ſhall be the unreaſonable and furious Oppoſition to my Goſpel, as ſhall occaſion Diviſions amongſt the neareſt Relations, ſome of whom ſhall hate and perſecute the other for their embracing my Religion. And of Conſequence *Chriſt did not declare, in the moſt expreſs Terms,* as the fore-
Ibid. mentioned Writer aſſerts, *That he came to do that which we muſt ſuppoſe he came to hinder.* He did only declare, that he came to do what he was reſolved not to hinder, *i. e.* to publiſh ſuch a Religion as his Enemies would put him to Death for, and as would occaſion Diviſions amongſt the neareſt Relations, through the unreaſonable Hatred and Oppoſition that ſome would ſhew to others upon Account of it. This Matter is elſewhere clearly expreſſed
John xvi. 1, 2, 3. by Chriſt: *Theſe Things have I ſpoken to you, that ye ſhould not be offended. They ſhall put you out of the Synagogues; yea, the Time cometh, that whoſoever killeth you, will think that he doth God Service. And theſe Things will they do unto you, becauſe they have not known the Father nor me,* i. e. have not underſtood either natural Religion, or the Religion of my Goſpel.

There is therefore nothing in the Conduct or Doctrines of Jeſus Chriſt to countenance or encourage Perſecution. His Temper was benevolent, his Conduct merciful, and one governing Deſign of all he ſaid, was to promote Meekneſs and Condeſcenſion, univerſal Charity and Love. And in this all
Rom. xii. 9, 10. his Apoſtles were careful Imitators of his Example: *Let Love,* ſaith St. *Paul, be without Diſſimulation; be kindly affectioned one to another with brotherly Love,*
18. *in Honour, prefering one another. If it be poſſible, as much as in you lies, live*
xiii. 10. *peaceably with all Men.* And the Love he recommended was ſuch, *as worketh no ill to his Neighbour,* and which therefore he declares *to be the fulfilling of the Law.* And, leaſt different Sentiments in leſſer Matters ſhould cauſe Diviſions

visions amongst Christians, he commands, *to receive him that is weak in the* Rom. xiv.
Faith, not to doubtful Disputations, μη εις διακρισεις διαλογισμων, not to judge or 1.
to contend about Disputations, or disputable Things. Upon Account of such
Matters, he orders that none should *despise or judge others, because God* Rom. xiv.
had received them, and because every Man ought to be *fully persuaded in his own* 3, 5.
Mind, and because *the Kingdom of God was not Meat and Drink, but Righteousness* 17.
and Peace, and Joy, in the Holy Ghost, and because every one was to *give an* 4.
Account of himself to God, to whom alone, as his only Master, he was to stand
or fall. From these substantial Reasons, he infers, *We then that are strong*, xv. 1.
who have the most perfect Understanding of the Nature of Christianity,
and our Christian Liberty, *ought to bear the Infirmities of the Weak, and not to* 5.
please our selves; and having pray'd for them, that the God of Patience and
Consolation would grant them to *be like minded one towards another, according to*,
or after the Example of *Christ*, that, notwithstanding the Strength of some,
and the Weakness of others, they might, *with one Mind, and with one Mouth*, 6.
glorify God, even the Father of our Lord Jesus Christ; he adds, as the Conclusion of his Argument, *Wherefore receive ye one another, as Christ also received* 7.
us to the Glory of God.

In his Letters to the *Corinthians*, he discovers the same divine and aimiable Spirit. In his first Epistle, he beseeches them, *by the Name of the Lord Jesus Christ, that they would all speak the same Thing, and that there should be no Schism amongst them*, but that they should be *perfectly joined together in the same Mind, and in the same Judgment*, i. e. that they should all own and submit to Christ, as their only Lord and Head, and not rank themselves under different Leaders, as he had been informed they had done; for that they were *the Body of Christ*, and all of them his Members, and ought therefore to maintain that *Charity* to one another, *which suffereth long, and is kind, which envieth not, vaunteth not it self, is not puffed up, doth not behave it self unseemly, seeketh not her own, is not easily provoked, thinketh no Evil, rejoiceth not in Iniquity, but rejoiceth in the Truth, beareth all Things, believeth all Things, hopeth all Things, endureth all Things, which is greater and more excellent than Faith and Hope, which fails not in Heaven it self*, where Faith and Hope shall be at an End; and without which, though we could *speak with the Tongue of Men and Angels, should have the Gift of Prophecy, and understand all Mysteries, and all Knowledge, and could remove Mountains, yea, though we should bestow all our Goods to feed the Poor, and give our Bodies to be burned, we should be only as sounding Brass, and as a tinkling Cymbal*, nothing in the Account of God, nothing as to any real Profit and Advantage that will accrue to us. And, in his second Epistle, he takes his Leave of them with this divine Exhortation, and glorious Encouragement: *Finally, Brethren, farewell, be perfect, be of good Comfort, be of one Mind*, το αυτο φρονειτε, be affectionate and kindly disposed to one another, as though you were influenced by one common Mind; *Live in Peace, and the God of Love and Peace shall be with you.*

1 Cor. i. 10, &c. xii. 27. xiii. 1, &c. 2 Cor. xiii. 11.

In his Epistle to the *Galatians*, he gives us a Catalogue of those Works of the Flesh which exclude Men from the Kingdom of God, such as Adul- Gal. v. 19, &c.

tery, Fornication,—*Hatred, Variance, Emulation, Wrath, Strife, Seditions, Heresies, Envyings*, and the like; and then assures us, that *the Fruits of the Spirit are Love, Joy, Peace, Long-suffering, Gentleness, Goodness, Faith, Meekness, and Temperance, against which there is no Law*; and, after having laid down this as
Gal. vi. 15. an essential Principle of Christianity, that *neither Circumcision availeth any Thing, nor Uncircumcision, but a new Creature*, or, as 'tis expressed in another Place, *Faith which works by Love*; he pronounces this truly apostolick Benediction,
16. *As many as walk according to this Rule, Peace be on them, and Mercy, and upon the* Israel *of God.*

The same divine and excellent Strain runs through his Letter to the *Ephesians*:
Eph. iv. 1, &c. *I therefore, the Prisoner of the Lord, beseech you that ye walk worthy of the Vocation wherewith ye are called, with all Lowliness and Meekness, with Long-suffering and Meekness, forbearing one another in Love, endeavouring to keep the Unity of the Spirit in the Bond of Peace*; and the Term of this Union, which he lays down is the Acknowledgment of one Catholick Church, one Spirit, one Lord and Mediator, and *one God, even the Father of all, who is above all, through all, and*
31. *in all.* The contrary Vices of *Bitterness, and Wrath, and Anger, and Clamour,*
32. *and evil speaking, and Malice, are to be put away*, as Things that *grieve the Holy Spirit of God*: and we must *be kind one to another, forgiving one another, even as*
v. 1, 2. *God, for Christ's sake, hath forgiven us, and be Followers of God, by walking in Love, even as Christ hath also loved us, and hath given himself for us.*

Phil. ii. 1, &c. His Exhortation to the *Philippians*, is in the most moving Terms: *If there be any Consolation in Christ, if any Comfort of Love, if any Fellowship of the Spirit, if any Bowels and Mercies, fulfil ye my Joy, that ye be like minded, having the same Love, being of one Accord, of one Mind. Let nothing be done through Strife or Vain-glory, but in lowliness of Mind let each esteem other better than themselves.*

In his Exhortation to the *Colossians*, he warmly presses our cultivating the
Coloss. iii. 8, &c. same Disposition, and abounding in the same Practice: *Put of all these, Anger, Wrath, Malice;—put on as the Elect of God, holy and beloved, Bowels of Mercies, Kindness, Humbleness of Mind, Meekness, Long-suffering, forbearing one another, and forgiving one another, even as Christ forgave us. And, above all these Things, put on Charity, which is the Bond of Perfectness, and let the Peace of God rule in your Hearts, to which also ye are called in one Body.*

In his Directions to *Timothy*, he gives him this Summary of all practical
1 Tim. i 5, &c. Religion: *The End of the Commandment is Charity out of a pure Heart, and a good Conscience, and Faith unfeigned*, and he ascribes Mens turning aside to vain jangling, to their having swerved from this great Principle.

And, to mention no more Passages on this Head, I shall conclude this whole Account with that amiable Description of the Wisdom, that is from above given by St. *James*:
James iii. 14, &c. *The Wisdom that is from above, is pure and peaceable, and gentle, and easy to be intreated, full of good Fruits, without Partiality, and without Hypocrisy. But if we have bitter Envying and Strife in our Hearts, we have nothing to glory in, but we lye against the Truth*, i. e. belye our Christian Profession; for whatever false Judgment we may pass upon our selves, this *Wisdom descendeth not from above, but is earthly, sensual, devilish; for where Envying and Strife is, there is Confusion, and every evil Work.*

I have thrown all these excellent Passages of the sacred Writings together, that it may appear in the most convincing Light, that the Scriptures have nothing in them to countenance the Spirit, or any of the Methods of Persecution, and to confront the melancholy Account I have given before of the Progress and Ravages caused by this accursed Evil. Good God, how have the Practices of Christians differed from the Precepts of Christianity! Would one imagine that the Authors of those dreadful Mischiefs and Confusions were the Bishops and Ministers of the Christian Church? That they had ever read the Records of Christian Religion? Or if they had, that they ever believed them?

But it may be objected, that whatever may be the Precepts of the Christian Religion, yet the Conduct even of the Apostles themselves gives some Countenance to the Spirit and Practice of Persecution, and particularly the Conduct of St. *Paul*; and that such Powers are given to the Guides and Bishops of the Christian Church, as do either expresly or virtually include in them a a Right to persecute. Let us briefly examine each of these Pretensions.

As to the Practice of the Apostles, *Beza* mentions two Instances to vindicate the Punishment of Hereticks. The first is that of *Ananias* and *Sapphira*, struck dead by *Peter*; and the other that of *Elymas* the Sorcerer, struck blind by *Paul*. But how impertinently are both these Instances alledged? Heresy was not the Thing punished in either of them. *Ananias* and *Sapphira* were struck dead for Hypocrisy and Lying, and for conspiring, if it were possible, to deceive God. *Elymas* was a *Jewish* Sorcerer, and false Prophet, a subtle mischievous Fellow, an Enemy to Righteousness and Virtue, who withstood the Apostolick Authority, and endeavoured, by his Frauds, to prevent the Conversion of the Deputy to the Christian Faith. The two first of these Persons were punished with Death. By whom? What, by *Peter*? No, by the immediate Hand of God. *Peter* gave them a Reproof suitable to their Wickedness; but as to the Punishment, he was only the Mouth of God in declaring it, even of that God who knew the Hypocrisy of their Hearts, and gave this signal Instance of his Abhorrence of it in the Infancy of the Christian Church, greatly to discourage, and, if possible, for the future, to prevent Mens thus dealing fraudulently and insincerely with God. And, I presume, if God hath a Right to punish Frauds and Cheats in another World, he hath a Right to do so in this; especially in the Instance before us, which seems to have something very peculiar in it. *Peter* expresly says to *Sapphira*, *How is it that ye have agreed together to tempt the Spirit of the Lord?* What can this tempting of the Spirit of the Lord be, but an Agreement between *Ananias* and his Wife, to put this Fraud on the Apostle, to see whether or no he could discover it by the Spirit he pretended to? This was a proper Challenge to the Spirit of God, which the Apostles were endewed with, and a Combination to put the Apostolick Character to the Trial. Had not the Cheat been discovered, the Apostle's Inspiration and Mission would have been deservedly questioned, and as the State of Christianity required that this divine Mission should be abundantly established, *Peter* lets them know that

De Hæret. a Magist. pun. p. 161, &c.

Acts v. 9.

their Hypocrisy was discover'd, and, to create the greater Regard and Attention to their Persons and Message, God saw fit to punish that Hypocrisy with Death.

Acts xiii. 6, &c. As to *Elymas* the Sorcerer, this Instance is as foreign and impertinent as the other. *Sergius Paulus*, Proconsul of *Cyprus*, had entertained at *Paphos* one *Barjesus* a *Jew*, a Sorcerer; and hearing also that *Paul* and *Barnabas* were in the City, he sent for them to hear the Doctrine they preached. Accordingly they endeavoured to instruct the Deputy in the Christian Faith, but were withstood by *Elymas*, who, by his Subtleties and Tricks, endeavoured to hinder his Conversion. St. *Paul* therefore, in order to confirm his own divine Mission, and to prevent the Deputy's being deceived by the Frauds and Sorceries of *Elymas*, after severely rebuking him for his Sin, and Opposition to Christianity, tells him, not that the Proconsul ought to put him in Jail, and punish him with the civil Sword, but that God himself would decide the Controversy, by striking the Sorcerer himself immediately blind, which accordingly came to pass, to the full Conviction of the Proconsul. Now what is there in all this to vindicate Persecution? God punishes wicked Men for Fraud and Sorcery, who knew their Hearts, and had a Right to punish the Iniquity of them. Therefore Men may punish others for Opinions they think to be true, and are conscientious in embracing, without knowing the Heart, or being capable of discovering any Insincerity in it. Or God may vindicate the Character and Mission of his own Messengers, when wickedly opposed and denied, by immediate Judgments inflicted by himself on their Opposers. Therefore the Magistrate may punish and put to Death, without any Warrant from God, such who believe their Mission, and are ready to submit to it, as far as they understand the Nature and Design of it. Are these Consequences just and rational? or would any Man have brought these Instances as Precedents for Persecution, that was not resolved, at all Hazards, to defend and practise it?

1 Cor. v. 5. Gal. i. 9. v. 12. Rom. xvi. 17. 1 Cor. v. 9. But doth not St. *Paul* command to *deliver Persons to Satan for the Destruction of the Flesh?* Doth he not *wish that they were even cut off who trouble Christians, and enjoin us to mark them which cause Divisions and Offences, contrary to his Doctrine, and to avoid them, and not to eat with them?* Undoubtedly he doth. But what can be reasonably infer'd from hence in favour of Persecution, merely for the sake of Opinions and Principles? In all these Instances, the Things censured are Immoralities and Vices. The Person who was deliver'd by St. *Paul* to Satan, was guilty of a Crime not so much as named by the *Gentiles* themselves, the incestuous Marriage of his Father's Wife; and the Persons we are, as Christians, commanded not to keep company and eat with, are Men of scandalous Lives; such as Fornicators, or Covetous, or Idolaters, or Railers, or Drunkards, or Extortioners, making a Profession of the Christian Religion, or, in St. *Paul*'s Phrase, *called Brethren*; a wise and prudent Exhortation in those Days especially, to prevent others from being corrupted by such Examples, and any Infamy thrown on the Christian Name and Character. As to those whom the Apostle *wishes cut off*, they were the persecuting *Jews*, who

who ſpread Contention amongſt Chriſtians, and taught them to bite and devour one another, upon Account of Circumciſion, and ſuch-like Trifles; Men that were the Plagues and Corrupters of the Society they belonged to. Men who cauſed ſuch Diviſions, and who cauſed them out of a Love to their own Belly, deſerved to have a Mark ſet upon them, and to be avoided by all who regarded their own Intereſt, or the Peace of others.

What the Apoſtle means by delivering to Satan, I am not able certainly to determine. It was not, I am ſure, the putting the Perſon in Jail, or torturing his Body by an Executioner; nor ſending him to the Devil by the Sword or the Fagot. One Thing included in it undoubtedly was, his Separation from the Chriſtian Church: *Put away from amongſt your ſelves that wicked Perſon*, which probably was attended with ſome bodily Diſtemper, which, as it came from God, had a Tendency to bring the Perſon to Conſideration and Reflection. The immediate Deſign of it was the Deſtruction of the Fleſh, to cure him of his Inceſt, that, by Repentance and Reformation, his *Spirit might be ſaved in the Day of Chriſt*; and the Power by which the Apoſtle inflicted this Puniſhment, was peculiar to himſelf, which God gave him *for Edification, and not for Deſtruction*: So that whatever is preciſely meant by delivering to Satan, it was the Puniſhment of a notorious Sin; a Puniſhment that carried the Marks of God's Hand, and was deſign'd for the Perſon's Good, and was actually inſtrumental to recover and ſave him, 2 *Cor.* ii. But what Reſemblance is there in all this to Perſecution, in which there is no Appearance of the Hand of God, nor any Marks but thoſe of the Cruelty and Vengeance of Men; no Immorality puniſhed, and, generally ſpeaking, nothing that in its Nature deſerves Puniſhment, or but what deſerves Encouragement and Applauſe. And 'tis very probable that this is what St. *Paul* means by his *wiſhing thoſe cut off* who diſturbed the Peace of the *Galatian* Chriſtians, by ſpreading Diviſions amongſt them, and exciting Perſecutions againſt them; though, I confeſs, if St. *Paul* meant more, and pray'd to God that thoſe obſtinate and incorrigible Enemies to Chriſtianity, who, for private Views of worldly Intereſt, raiſed perpetual Diſturbances and Perſecutions where-ever they came, might receive the juſt Puniſhment of their Sins, and be hereby prevented from doing farther Miſchief, I don't ſee how this would have been inconſiſtent with Charity, or his own Character, as an inſpired Apoſtle.

(1 Cor. v. 13.) (2 Cor. x. 8.)

It may poſſibly be urged, that though the Things cenſured in theſe Places are Immoralities, yet that there are other Paſſages which refer only to Principles, and that the Apoſtle *Paul* ſpeaks againſt them with great Severity: As particularly, *If any Man preach any other Goſpel unto you, than that ye have received, let him be accurſed.* And again, *A Man that is an Heretick, after the firſt and ſecond Admonition, reject.* As to the firſt of theſe, nothing can be more evident than that the Apoſtle pronounces an Anathema only againſt thoſe who ſubverted the Chriſtian Religion, ſuch who taught that it was inſufficient to Salvation, without Circumciſion, and Submiſſion to the *Jewiſh* Law: As the Goſpel he taught, was what he had received from Chriſt, he had, as an Apoſtle, a Right to warn the Churches he wrote to againſt corrupting the

(Gal. i. 9.) (Tit. iii. 10.)

Simplicity of it, and to pronounce an Anathema, *i. e.* to declare, in the Name of his great Master, that all such false Teachers should be condemned who continued to do so; and this is the utmost that can be made of the Expression; and therefore this Place is as impertinently alledged in favour of Persecution, as it would be to alledge those Words of Christ: *He that believeth not, shall be condemned.* The Anathema pronounced, was the divine Vengeance, it was *Anathema Maranatha*, to take Place only when the Lord should come to Judgment, and not to be executed by human Vengeance.

As to Heresy, against which such dreadful Outcries have been raised, 'tis taken indifferently in a good or a bad Sense in the Scripture. In the bad Sense, it signifies, not an involuntary Error, or Mistake of Judgment, into which serious and honest Minds may fall, after a careful Enquiry into the Will of God, but a wilful criminal Corruption of the Truth for worldly Ends and Purposes. Thus 'tis reckon'd, by St. *Paul* himself, amongst the Works of the Flesh,
Gal. v. 20. such as Adultery, Fornication, Variance, Strifes, and the like, because Heresy is embraced for the sake of fleshly Lusts, and always ministers to the serving them. Thus St. *Peter*, *There were false Prophets also amongst the People, even as there shall*
2 Pet. ii. 1, &c. *be false Teachers amongst you, who privily shall bring in damnable Heresies, even denying the Lord that bought them, and bring upon themselves swift Destruction; and many shall follow their pernicious Ways, by reason of whom the Way of Truth shall be*
v. 10. *evil spoke of; and through Covetousness shall they, with feigned Words, make Merchandize of you;* whom he farther describes, *as walking after the Flesh in the Lust of Uncleanness*, and as given to almost all manner of Vices. This is *Heresy, and denying the Lord that bought us*, and the only Meaning of the Expression, as used by the Apostle; though it hath been applied by weak or designing Men,
Tit. iii. 11. to denote all such as don't believe their metaphysical Notion of the Trinity, or the *Athanasian* Creed. Hence it is that St. *Paul* gives it, as the general Character of an Heretick, that *he is subverted*, viz. from the Christian Faith, *sinneth*, viz. by voluntarily embracing Errors, subversive of the Gospel, in favour of his Lusts, on which Account he is *self-condemn'd*, viz. by his own Conscience, both in the Principles he teaches, and the vile Uses to which he makes them serve: So that tho' sincere and honest Enquirers after Truth, Persons who fear God, and practise Righteousness, may be Hereticks in the Esteem of Men, for not understanding and believing their Peculiarities in Religion, yet they are not and cannot be Hereticks, according to the Scripture Description of Heresy, in the Notion of which there is always supposed a wicked Heart, causing Men wilfully to embrace and propagate such Principles as are subversive of the Gospel, in order to serve the Purposes of their Avarice, Ambition, and Lust. Such Heresy as this is unquestionably one of the worst of Crimes, and Hereticks of this kind are worthy to be rejected. It must be confessed, that Heresy hath been generally taken in another Sense, and to mean Opinions that differ from the established Orthodoxy, or from the Creeds of the Clergy, that are uppermost in Power; who have not only taken on them to reject such as have differ'd from them, from their Communion and Church, but to deprive them of Fortune, Liberty and Life. But

as St. *Paul*'s Notion of Heresy entirely differs from what the Clergy have generally taught about it, theirs may be allowed to be a very irrational and absurd Doctrine, and the Apostle's remain a very wise and good one; and though they have gone into all the Lengths of Wickedness to punish what they have stigmatized with the Name of Heresy, they have had no apostolick Example or Precept to countenance them; Scripture Hereticks being only to be rejected from the Church, according to St. *Paul*, and as to any farther Punishment, 'tis deferred till the Lord shall come.

As to the Powers given to the Guides, or Overseers, or Bishops of the Church, I allow their Claims have been exceeding great. They have assumed to themselves the Name of the *Church* and *Clergy*, hereby to distinguish themselves from the Flock of Christ. They have taken on them, as we have seen, to determine, mend, and alter the Faith, to make Creeds for others, and oblige them to subscribe them, and to act as though our Saviour had divested himself of his own Rights, and given unto them *all Power in Heaven and Earth*. But these Claims have as little Foundation in the Gospel as in Reason. The Words *Clergy* and *Church*, are never once used in Scripture to denote the Bishops or other Officers, but the Christian People. St. *Peter* advises the Presbyters *to feed the Flock of God, and to exercise the Episcopal Office* 1 Pet. v.
willingly, [a] *not as lording it over the Heritages*, or Clergy of God. And St. 3.
Paul, writing to his *Ephesians*, and speaking of their Privileges as Christians, says, that *by Christ they were made God's peculiar Lot*, or Heritage, or [b] Clergy. In like manner, the Body of Christians in general, and particular Congregations in particular Places, are called the Church, but the Ministers of the Gospel never in contradistinction to them. 'Tis of all Believers that St. *Peter* gives that noble Description, that they are *a spiritual House, an holy Priesthood, to offer up spiritual Sacrifices, a chosen Generation, a royal Priesthood, an holy Nation, and a* [c] *peculiar People*, or a People for his peculiar Heritage, or *purchased Possession*, as the Word is render'd, *Eph.* i. 14. So that to be the Church, the Clergy, and the sacred Priests of God, is an Honour common to all Christians in general by the Gospel Charter. These are not the Titles of a few only, who love to exalt themselves above them.

Undoubtedly, the Order of the Christian Worship requires, that there should be proper Persons to guide and regulate the Affairs of it. And accordingly St. *Paul* tells us, that *Christ gave some Apostles, some Prophets, some* Eph. iv.
Evangelists, and some Pastors and Teachers, different Officers, according to the 11.
different State and Condition of his Church. To the Apostles, extraordinary Powers were given, to fit them for the Service to which they were called; and, to enable them to manage these Powers in a right Manner, they were under the peculiar Conduct of the Spirit of God. Thus our Saviour, after his Resurrection, breathed on his Disciples the Holy Ghost, and said, *Whose soever Sins ye remit, they are remitted to them; and whose soever Sins ye retain,* John xx.
23.

[a] Μη ως κατακυριευοντες των κληρων.
[b] Εν ω και εκληρωθημεν.
[c] Λαος εις περιποιησιν.

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they are retained; a Commission of the same import with that which he gave them before, *Matt.* xviii. 18. *Whatsoever ye shall bind on Earth, shall be bound in Heaven; and whatsoever ye shall loose on Earth, shall be loosed in Heaven.* To *bind*, is to *retain Mens Sins*; and to *loose*, is to *remit their Sins*. And this Power the Apostles had; and it was absolutely necessary they should have it, or they could never have spread his Religion in the World. But wherein did this binding and loosing, this retaining and remitting Sins, consist? What, in their saying to this Man, I absolve you from your Sins; and to the other, I put you under the Sentence of Damnation? Would any considerate Man in the World have ever credited their Pretensions to such an extravagant Power? Or can one single Instance be produced of the Apostles pretending to exercise it? No. Their Power of binding and loosing, of retaining and remitting Sins consisted in this, and in this principally, *viz.* their fixing the great Conditions of Mens future Salvation, and denouncing the Wrath of Almighty God against all, who, thro' wilful Obstinacy, would not believe and obey the Gospel. And the Commission was given them in the most general Terms, *Whose soever Sins ye retain*, &c. not because they were to go to particular Persons, and peremptorily say, *You shall be saved, and you shall be damned*, but because they were to preach the Gospel to *Gentiles*, as well as *Jews*, and to fix those Conditions of future Happiness and Misery, that should conclude all the Nations of the Earth, to whom the Gospel should be preached. This was their proper Office and Work, as Apostles; and, in order to this, they had the Spirit given them, to bring all Things that Christ had said to their Remembrance, and to instruct them fully in the Nature and Doctrines of the Gospel. And as they have declared the whole Counsel of God to the World, they have loosed and bound all Mankind, *even the very Bishops and Pastors of the Church, as well as others*, as they have fixed those Conditions of Pardon and Mercy, of future Happiness and Misery for all Men, from which God will not recede, to the End of Time. This was a Power fit to be entrusted with Men under the Conduct of an unerring Spirit, and with them only; whereas the common Notion of sacerdotal or priestly Absolution, as it hath no Foundation in this Commission to the Apostles, nor in any Passage of the sacred Writings, is irrational and absurd, and which the Priests have no more Power to give, than any other common Christian whatsoever, no, nor than they have to make a new Gospel.

I would add, that as the Apostles received this Commission from Christ, they were bound to confine themselves wholly to it, and not to exceed the Limits of it. They were his Servants who sent them, and the Message they received from him, that, and that only, were they to deliver to the World.
2 Cor. v. 20. Thus St. *Paul* says of himself, that *God had committed to him the Word of Reconciliation*, and that he was *an Ambassador for Christ*; that he *preached not himself,*
iv. 5. *but Christ Jesus the Lord, and himself the Servant of others for Jesus sake*; that he
i. 24. had *no Dominion over others Faith*, no Power to impose upon them arbitrary Things, or Articles of Faith, which he had not received from Christ; and
1 Cor. ii. 2. that accordingly he *determined to know nothing but Christ, and him crucified*, i. e. to

preach nothing but the pure and uncorrupted Doctrines of his Gospel; and that this was his great Comfort, that he had *not shunned to declare the Counsel of God*. If then the inspired Apostles were to confine themselves to what they received from God, and had no Power to make Articles of Faith, and fix Terms of Communion and Salvation, other than what they were immediately ordered to do by Christ, it is absolutely impossible that the Clergy can have that Power now; who have, as I apprehend, no immediate Commission from Christ, nor any direct Inspiration from his Holy Spirit. Nor is there any Thing in the Circumstances of the World to render such a Power desirable; because the Apostles have shewn us all Things that we need believe or practise as Christians, and commanded the Preachers of the Gospel to teach no other Doctrines but what they received from them. Hence St. *Peter*'s Advice to the Elders, that they should *feed the Flock of God, not as lording it over the Heritage*. (1 Pet. v. 3.) And St. *Paul*, in his Epistles to *Timothy*, instructing him in the Nature of the Gospel Doctrines and Duties, tells him, that *by putting the Brethren in Remembrance of these Things, he would approve himself a good Minister of Jesus Christ*, (1 Tim. iv. 6.) and commands him to *take Heed to himself, and to the Doctrines* he had taught him, *and to continue in them*, charging him, in *the Sight of God, and before Christ Jesus, to keep the Commandment given him, that which was committed to his Trust, without Spot, unrebukeable, till the Appearance of Christ Jesus*. (vi. 13, 14, 20. 2 Tim. ii. 2.) These were the Things to which *Timothy* was to confine himself, and to commit to others, that they might be continually preached in the Christian Church; and of Consequence 'tis the same Apostolick Doctrine that the Bishops, or Elders, or Ministers of the Church, are to instruct their Hearers in now, as far as they understand it, without mixing any Thing of their own with it, or of any other Persons whatsoever.

The great End and Design of the ministerial Office, is for the *perfecting of the Saints, and the edifying of the Body of Christ*. Hence *the Elders* are commanded *to take Heed to themselves, and to the Flock over which the Holy Ghost had made them* BISHOPS, *to feed the Church of God*. (Acts xx. 28.) They are likewise exhorted to *hold fast the faithful Word, as they had been taught, that by sound Doctrine they may be able to exhort and convince others*. They are to *give Attendance to Reading, Exhortation, and Doctrine*, and to put others in Remembrance of the great Truths of the Gospel, charging them, before the Lord, not to strive about unprofitable Words, but *to be gentle to all Men*, and *in Meekness to instruct even those who oppose*. They are to *contend earnestly for the Faith*, as well as other Christians, but then 'tis for *that Faith which was once delivered to the Saints*; and, even for this, *the Servant of the Lord is not*, μαχεσθαι, *to fight*. He is not to use *carnal*, but *spiritual Weapons*, nor to put on any Armour, but that of Righteousness on the Right Hand, and on the Left. (2 Tim. ii. 24.) They are to *speak the Truth*, but it must be *in Love*. (Eph. iv. 15.) They should be *zealously affected*, but it should be always *in a good Thing*. They must *stop the Mouths of unruly and vain Talkers*, but it must be by *Uncorruptness of Doctrine, Gravity, Sincerity, and sound Speech, that cannot be condemned*. (Tit. i. 11. ii. 8.) Upon these, and the like Accounts, they are said

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to be *over us in the Lord*, to *rule us*, and to be *our Guides*; Words that do not imply any Dominion that they have over the Consciences of others, nor any Right in them to prescribe Articles of Faith and Terms of Communion for others. This they are expresly forbidden, and commanded to preach the Word of God only, and pronounced accursed if they teach any other Gospel than that which they have received from the Apostles. And of Consequence when we are bid *to obey* and *submit our selves* to them, it is meant then, and then only when they *rule us in the Lord*, when they speak to us the Word of God, and *labour in the Word and Doctrine*. In all other Cases, they have no Power, nor is there any Obedience due to them. They are to be respected, and to *be had in double Honour for their Work sake*, i. e. when they *preach not themselves, but Christ Jesus the Lord*, and when their Faith and Conversation is such, as to become worthy our Imitation. But if *they teach otherwise, and consent not to the Words of our Lord Jesus, if they doat about Words whereof come Envy, Strife and Railing, supposing that Gain is Godliness, from such we are commanded to withdraw our selves.* The Episcopal Character, however otherwise greatly venerable, then forfeits the Reverence due to it, and becomes contemptible.

So that there are no Powers or Privileges annexed to the Episcopal or Ministerial Character in the sacred Writings, that are in the least favourable to the Cause of Persecution, or that countenance so vile and detestable a Practice. As to the Affair of Excommunication, by which the Clergy have set the World so often in a Flame, there is nothing in the sacred Records that confines the Right of exercising it to them, nor any Command ever to exercise it, but towards notorious and scandalous Offenders. The incestuous *Corinthian* was delivered over to Satan by the Church in full Assembly, on which Account his Punishment or Censure is said to be *by many*. And though St. *Paul* bids *Titus* to *reject an Heretick*, he also bids the *Corinthians* to *put away that wicked Person from amongst them*, which had brought such a Scandal upon their Church, and the *Thessalonians, to withdraw themselves from every Brother that should walk disorderly*. So that as the Clergy have no Right, from the New Testament, to determine in Controversies of Faith, nor to create any new Species of Heresy, so neither have they any exclusive Right to cut off any Persons from the Body of the Church, much less to cut them off from it for not submitting to their Creeds and Canons; and of Consequence no Power to mark them out by this Act to the civil Magistrate, as Objects of his Indignation and Vengeance.

1 Cor. v. 4.
2 Cor. ii. 6.

I have been the longer on this Head, that I might fully vindicate the Christian Revelation, from every Suspicion of being favourable to Persecution. Notwithstanding some late Insinuations of this kind that have been thrown out against it by its professed Adversaries, let but the Expressions of Scripture be interpreted with the same Candour as any other Writings are, and there will not be found a single Sentence to countenance this Doctrine and Practice. And therefore though Men of corrupt Minds, or weak Judgments, have, for the sake of worldly Advantages, or through strong

Prejudices, entered into the Meaſures of Perſecution under Pretence of vindicating the Chriſtian Religion, yet as they have no Support and Foundation in the Goſpel of Chriſt, the Goſpel ought not to be reproached for this, or any other Faults of thoſe who profeſs to believe it. Let Perſecution be repreſented as a moſt deteſtable and impious Practice, and let Perſecutors of every Denomination and Degree bear all the Reproaches they deſerve, and be eſteemed, as they ought to be, the Diſturbers, Plagues and Curſes of Mankind, and the Church of God; but let not the Religion of Jeſus Chriſt ſuffer for their Crimes, nor ſhare any Part of that Scandal, which is due only to thoſe who have diſhonoured their Character and Profeſſion, and abuſed the moſt beneficent and kind Inſtitution that ever appeared in the World.

It is in order to expoſe this ſhameful Practice, and render it the Abhorrence of all Mankind, that I have drawn up the foregoing Sheets, and, I preſume, that no one who hath not put off Humanity it ſelf can read them, without becoming Sentiments of Indignation. The true Uſe to be made of that Hiſtory, is, not to think diſhonourably of Chriſt and his Religion, not to contemn and deſpiſe his faithful Miniſters, who, by Preaching and Practice, by Reaſon and Argument, endeavour to propagate Knowledge, Piety, Righteouſneſs, Charity, and all the Virtues of private and ſocial Life. The Bleſſing of the Almighty God be with them. The Grace of our Lord Jeſus Chriſt ſucceed and proſper them. I ſay therefore, the Uſe of the foregoing Hiſtory is to teach Men to adhere cloſe to the Doctrines and Words of Chriſt and his Apoſtles, to argue for the Doctrines of the Goſpel with Meekneſs and Charity, to introduce no new Terms of Salvation and Chriſtian Communion, not to trouble the Chriſtian Church with metaphyſical Subtleties and abſtruſe Queſtions, that miniſter to Quarelling and Strife, not to pronounce Cenſures, Judgments, and Anathemas, upon ſuch as may differ from us in ſpeculative Truths, not to exclude Men from the Rights of civil Society, nor lay them under any negative or poſitive Diſcouragements for Conſcience ſake, or for their different Uſages and Rites in the Externals of Chriſtian Worſhip; but to remove thoſe which are already laid, and which are as much a Scandal to the Authors and Continuers of them, as they are a Burthen to thoſe who labour under them. Theſe were the ſole Views that influenced me to lay before my Reader the foregoing melancholy Account; not any Deſign to reflect on the Clergy in general, whoſe Office and Character I greatly reverence, and who, by acting according to the original Deſign of their Inſtitution, would prove the moſt uſeful Set of Men in every Nation and Kingdom, and thereby ſecure to themſelves all the Eſteem they could reaſonably deſire in the preſent World, and, what is infinitely more valuable, the Approbation of their great Lord and Maſter in another.

FINIS.

TO THE

Most Reverend Father in God,

JOHN,

Lord Arch-Bishop of *Canterbury*,

Primate and Metropolitan of all *ENGLAND*.

May it please Your GRACE;

THE Book which I now publish, and my History of the Inquisition prefixed to it, appeared to me worthy of Your Grace's Patronage, rather than any other Person's living, when I considered the Subject treated of in both of them, and that high Station, which in these most difficult Times You support with the greatest Honour and universal

versal Applause of all good Men, for the common Advantage of the Reformed Churches.

The Book it self contains the Sentences of the *Tholouse* Inquisition, pronounced during the Space of sixteen Years, principally against the *Albigenses* and *Valdenses*, about the Beginning of the Fourteenth Century. In these Sentences there are not only many curious Things, which greatly illustrate the Histories of those Times, but the Inquisition it self, and the Method of its Procedure, is represented by about one hundred Sentences pronounced by it, and held up as it were in a Glass to be discerned by all: From hence, even the Papacy it self, which principally is supported by Cruelty and Persecution, may be more fully known, which, tho' covered with Sheeps Cloathing to deceive the Unwary, cherishes a Wolf in its Bosom. My History of the Inquisition gives Light to the Book of Sentences. My Design in it was to give a Representation of that Tribunal, not in a false Disguise, nor deform'd by unnatural and hideous Colours, but in living and genuine ones; I mean, to draw the Picture of that horrible Court, which makes its principal Boast of the Title of Sanctity, to the Life, not from the Writings of those who separate from the Church of *Rome*, but that there may be no Room for Calumny, from those of the Popish Doctors, and even Inquisitors themselves; that hereby the vast Power granted to the Inquisitors, the most cruel Laws of it, and the injust Method of Procedure, quite different from the Usage of all other Courts, might appear to the whole World, and that hereby the Papacy it self might be known to all Mankind to be what it really is. For indeed there is nothing that more evidently discovers its Nature, than that immense and supream Power, by which the Pope of

Rome, claiming to be the Vicar of Chrift on Earth, makes himfelf the Judge of the Faith, and ufurps Dominion over the Confciences of the Faithful. And of this the Office of the Inquifition is the moft abundant Proof. For here the Pope, as fupream Legiflator, makes Laws, by which he endeavours to bind, under the moft fevere Penalties, all who wear the Name of Chrift, without excepting thofe of the higheft Rank, no not Princes and Kings, to obey and believe all Things, which are eftablifhed by the Canons of the Church of *Rome*. And as fupream Judge of the Faith, he erects himfelf a Tribunal, from the Judgment of which none of the Faithful are exempted: He fends his Inquifitors into all Provinces and Countries, who, as Judges delegated by him, exercife Judgment in his Name, and make all Magiftrates and Princes obedient to their Commands, as tho' they were the Commands of the Pope himfelf. And that it may appear that he fets himfelf up as God, he endeavours to fearch out the moft concealed Things, and, as far as he can, the very Thoughts of the Heart. He commands the moft private Affairs, tranfacted between the moft intimate Friends, to be informed of to the Inquifitors, if there appears to be the leaft Sufpicion of a wavering Faith, under this moft fevere Threatning, that if any one doth not immediately difcover what he hath heard and feen, he fhall be efteemed as an Accomplice in the Crime, and as an Hinderer of the holy Office of the Inquifition; that by this Means, even from the fmalleft Proofs, he may form a Judgment of the very Thoughts, or by the moft cruel Tortures draw out a Confeffion of every Thing harbour'd in the Mind, or at leaft punifh the Action or Word that gave Occafion to the Sufpicion. And that it may more evidently appear, that this Tribunal is

erected not for the Honour, but rather for the Reproach of Chriſt, he ordains thoſe Puniſhments, and exerciſes thoſe Judgments, not againſt the profane and impious Violaters of the Divine Laws, Thieves, Adulterers, Drunkards, Revilers, and the like, concerning whom the Scripture plainly pronounces, that they ſhall not inherit the Kingdom of Heaven; but againſt the Tranſgreſſors of his Laws, which, without any Foundation in the Word of God, he hath, by an inſolent Uſurpation of ſpiritual Power, laid on the Church of God, as a Yoke to diſtinguiſh all who are ſubject to him. So that if any one doth not obſerve the leaſt Ceremony he commands, or not believe what is ordered by him to be believed, altho' he is perſuaded by the clear Teſtimony of the Word of God, that he ought to act and believe otherwiſe, or gives the leaſt Proof of ſuch a Belief, he can't eſcape the cruel Hands of the Inquiſitors. So that by theſe Fruits 'tis evident, he prefers his own Commandments to the Divine.

On the other hand, all who deſire to preſerve the Purity and Liberty of the Goſpel, every where highly eſteem and honour Your Grace, who, as you preſide over the Church of *England* by far the moſt Eminent of all the Reformed Churches, are for this Reaſon, I had almoſt ſaid, their common Defender. You by Methods and Counſels, directly contrary to the Papal Tyranny, labour with great Succeſs to promote the Chriſtian Doctrine and Faith, and to bring Men into the Way of Salvation. For, not to mention Your Grace's chaſte and natural Eloquence in Preaching, ſo agreeable to the Holy Scriptures, the Strength and Force of Your Judgment in Arguing, Your Learning, not for Oſtentation, but Uſefulneſs, and thoſe other excellent Qualifications, which formerly drew the

Hopes

Hopes and Eyes of all good Men upon You, and for which You are now an Ornament to Your Profession; the great Goodness of Your Mind, so highly becoming an Evangelical Pastor, gives a happy Presage to the Reformation, even now in Danger, and lately almost oppressed. For such is the Integrity of Your Life, such the Simplicity and Candor of your Behaviour, such Your Charity and Benevolence to all, such Your Wisdom from long Experience, that You seem to have been chosen by Divine Providence, by Your Conduct to unite and strengthen the reformed Churches, to heal their Differences, and to advance and defend the Gospel Liberty and Christian Religion against the Attempts and savage Cruelty of the Papists. For You not only approve, but are a Pattern of true Gospel Charity. You oppose the Papal Tyranny and Barbarity, by Purity of Life and Gentleness of Disposition, the very Methods by which Christianity formerly overcame and destroyed Idolatry, and the Heathen Impiety and Tyranny, and by which it always will triumph over its Enemies. I could not therefore submit this Work to any but Your Grace's Protection, and persuade my self You will with me judge it to be seasonable; especially in this State of Affairs, in which the Papacy is endeavouring, especially in *England*, to erect it self again, and usurp the sole Dominion; that in this Treatise all Men may see, as in a Glass, its living and genuine Representation, and never suffer themselves to be deceived by a false and disguised Appearance, but acknowledge it to be what it really is, *viz.* an Assembly and Combination of cruel and bloody Men, who affect and usurp, where-ever they can, a Dominion over Conscience, and thus erect a Kingdom oppo-

site

ſite to that of Chriſt's: That by this Means, they may, under Your Conduct and Government, as a truly ſpiritual Father, learn to abhor, and with all their Hearts, to deteſt that imperious Society, and oppoſe the Propagation of it, by Faith unfeigned, a Charity truly Chriſtian, and by Sanctity of Behaviour; and that they may alſo conſult the Safety of the reformed Church, and eſpecially learn from thence to abhor all Cruelty and Puniſhment towards Diſſenters and erroneous Perſons, in other Reſpects pious, as thoſe who know, that we muſt all give an Account of our Faith before the Tribunal of Chriſt, the ſupream Lawgiver and Judge, and that it is not lawful for any Men to give a Law to Conſciences, or preſcribe the Rules of Believing, becauſe this is in Reality to aſcend the Tribunal of Chriſt himſelf. Thus the Church will proſper and flouriſh under Your Grace's Care; Enmities, Hatred and Schiſms, which have miſerably divided it into Parties, will be deſtroyed; and if God, offended with us for our Sins, ſhall not vouchſafe to reſtore to us thoſe golden Ages of the primitive Church, in which all the Faithful were of one Heart and one Mind, yet that we may all at leaſt learn this from hence, not to rule over another's Conſcience, never to puniſh an erroneous Chriſtian for a mere harmleſs Miſtake, never to put to Death any one for an ingenuous Profeſſion of his Faith, of which he is ready to give an Account to God, but to refute their Errors by the Force of Reaſon, and the plain Teſtimony of Scripture, and in the mean while to wait with Gentleneſs and Patience for their Repentance, if peradventure God ſhould grant them to underſtand their Errors, and give them an Heart ſincerely to embrace the Truth.

May

May the God of Peace, who brought again from the Dead that great Shepherd of the Sheep, our Lord Jesus Christ, by the Blood of the everlasting Covenant, prosper all your most pious Endeavours for the Peace and Safety of the Church, and grant that You may happily restore it when fallen, and support it when tottering, by the same Aids, with which it first grew, encreased, and was established. These are the sincere and most affectionate Prayers of, may it please Your Grace,

Your GRACE's

Most Humble and

Devoted Servant,

Philip a Limborch.

Mr. *LIMBORCH's*

PREFACE

TO THE

READER.

W*HEN first I determined to publish the Book of the Sentences of the* Tholouse *Inquisition, I had Reason to think that it would be the same with others, as I found it with my self,* viz. *that several Things in those Sentences would not be very clear, unless the Nature of the Inquisition, and Method of Proceeding in it, were, in some Measure, understood; and therefore, I intended, for the Reader's Advantage, to prefix to it a Dissertation concerning the Inquisition: But, as I turned over the Authors who treated of this Affair, I found such Plenty of Matter, that I laid by my first Design, and resolved to write an entire History of the Inquisition. Whether I have answered Expectation, the Reader must judge: I am sure I was not wanting in the desire to serve him. The History it self I have comprehended in Four Books; in which I have so fully explained every Thing relating to the Inquisition, and that could clear up the Books of Sentences, that I am perswaded the Reader will find no Obscurity left when he peruses them. He will perceive, by the Laws and Bulls every where published against Hereticks, why such a Punishment is inflicted upon each Person, and the Crimes objected to the Criminals, and why the Sentences are conceived in these and no other Words. And although*

although the Punishments enjoyned Penitents, by way of wholesome Penances, are arbitrary, and left to the Pleasure of the Inquisitors, yet they are directed by some certain Laws and Customs; so that, upon hearing the Crimes read objected to any Criminal, it may, from thence, be easily gathered to what Penance he is to be condemned, according to the Laws and Customs received in the Inquisition.

I have not, through an Attachment to any Party, written any Thing contrary to Truth. I have made use of Popish Authors, yea, Inquisitors themselves, and Counsellors of the Inquisition, who are so far from having written any Thing untrue, out of Hatred to the Inquisition, that they every where cry up the Sanctity of it, and, without End or Measure, inculcate its vast Advantage to the Church of Rome; *and therefore, whatever they write concerning the Inquisition, and Method of Proceeding before that Tribunal, I assured my self I might safely relate, without any Charge of Calumny on account of it. And, to cut off all Pretence for such a Charge, I thought proper to retain the very Words of the Popish Doctors, as they are extant in their own Books, without any Alteration, unless where, because of their Prolixness, I have abridged them; and, even then, I have made use of their own Words, as far as the Nature of an Abridgment would allow; so that he who reads my History, will read not so much my Words, as those of the Inquisitors themselves, and other Popish Doctors. I thought I should hereby greatly serve the Publick, by shewing what sort of Court that of the Inquisition is, the Papists and Inquisitors themselves being Witnesses. Amongst all the Authors I have quoted,* R. Gonsalvius Montanus *is the only one that was a Protestant; and, as far as I can gather from his Book, was one of those, who, about the Death of the Emperor* Charles V. *gathered a Church for worshipping God in a purer Manner at* Seville, *upon discovering the grievous Errors and Superstitions of the Church of* Rome, *which was afterwards dispersed by that most cruel Inquisition, of which there were held Acts of Faith at* Seville *and* Valladolid, An. 1559. *But I have scarce any Thing from him but what is affirmed by other Authors; he only supplies me with Instances fully to illustrate what others write concerning the Inquisition, the Laws of it, and Method of Proceeding. To him I may add* James Usser, *Archbishop of* Armagh, *from whose Treatise,* De Successione, *&c. I have borrowed some few Things. But, inasmuch as even these Things were taken from Popish Authors, of whom there are frequent*

Quotations in that Treatise, what I have transcribed from thence, ought, in Justice, to have the same Authority with the Papists, as though I had quoted it from the very Authors, whose Words are made use of by that most learned Prelate.

The Reader may, perhaps, wonder at one Thing, that I have always called those Hereticks that have been proceeded against by the Inquisition: But, as I was relating the Popes Bulls, and the Decrees of Popish Councils, I could not help using the same Words I found in them. By an Heretick, therefore, I understand one condemned for Heresy by the Church of Rome. I could not rehearse their Decrees but in their own Words, and was therefore forced always to use them, unless I would have interrupted the Course of the History, by repeated and innumerable Alterations, and thereby rendered it less pleasing and acceptable. Let it therefore suffice, once for all, to say, that, by the Word Heretick, when I ever speak of the Inquisition against Hereticks, I do not mean one who is truly an Heretick, but accounted an Heretick by the Church of Rome, taking the Word in the Popish Sense of it. In the mean while, those who are Hereticks in their Account, are not so in mine; and I sincerely believe, that those which the Church of Rome hath condemned for Heresy, have died, and gloriously endured the Punishment of Fire for the Testimony of Jesus Christ, and the maintaining a good Conscience. These few Things I thought proper to advise my kind Reader of, and hope he will pass a favourable Judgment. Sep. 13. An. CIƆIƆCXCII.

A CATALOGUE of the AUTHORS out of whose Writings the HISTORY of the INQUISITION is principally drawn.

Directorium Inquisitorum Fr. Nicolai Eymerici Ord. Præd. cum Commentariis Francisci Pegnæ J. V. D. Romæ in ædibus populi Romani. MDLXXXV. fol. Eymericus *was born at* Girona *in* Catalonia, *was a Predicant Monk, and flourished in the Papacy of* Urban V. *and* Gregory XI. *and in the Reign of* Peter IV. *King of* Aragon. *He was made Inquisitor General about the Year* 1358. *and succeeded* Nicholas Rosell. *He was made a Cardinal* An. 1356. *He died* Jan. 4, 1393. *having executed the Office of the Holy Inquisition for forty four Years together.*

Pegna *was a* Spaniard, *of the Kingdom of* Aragon, *made Auditor of the* Roman *Rota, in the room of* Christopher Robusterius, Oct. 14, 1588. *He was advanced to the Deanery of the same Court* June 9, 1604. *in the room of Cardinal* Jerom Pamphilii, *and died in that Deanery* Aug. 21, 1612.

Francisci Pegnæ Instructio, seu Praxis Inquisitorum, cum annotationibus Cæsaris Carenæ. Lugduni 1669. post Carenæ tractatum de Officio SS. Inquisitionis. fol.

Guidonis Fulcodii, quæstiones quindecim ad Inquisitores; cum annotationibus Cæsaris Carenæ, ibid. Fulcodius *was a Cardinal, and afterwards Pope, by the Name of* Clement IV.

Lucerna Inquisitorum Fr. Bernardi Comensis, cum annot. Francisci Pegnæ, impressa Romæ cum licentiâ Superiorum, ex officina Bartholomæi Grassi. 1584.

Jacobus Simancas de Catholicis Institutionibus. Simancas *was Bishop of* Badajox *in the Kingdom of* Portugal, *and Province of* Estremadura.

Joannes à Royas, de hæreticis eorumque impiâ intentione & credulitate. Royas *was a Licentiate of the Canon and Civil Law, Inquisitor of heretical Pravity at* Valencia *in* Spain.

Zanchini Ugolini tractatus de hæreticis: cum Additionibus Fr. Camilli Campegii. Z. Ugolinus *was a Lawyer of* Rimini *in* Italy.

C. Campegius *was a Predicant Friar, and Inquisitor General in all the Territories of* Ferrara.

Conradus Brunus de hæreticis & schismaticis, lib. 6.

Forma procedendi contra hæreticos, seu inquisitos de hæresi, & in causa hæresis. Autor creditur Joannes Calderinus.

Hi quinque autores exstant in Parte II. Tom. XI. tractatuum illustrium Juris consultorum, quæ agit, de judiciis criminalibus S. Inquisitionis.

Ludovicus à Paramo, de Origine & Progressu Officii Sanctæ Inquisitionis, ejusque dignitate & utilitate. Madriti, ex Typographiâ Regiâ. CIↃ IↃ XCIIX. fol. Ludovicus à Paramo *was Archdeacon and Canon of* Leon, *a City in* Spain, *and Inquisitor of the Kingdom of* Sicily.

Antonii de Sousa, Aphorismi Inquisitorum. Lugduni, apud Anisson. 1669. 8. Sousa *was a* Portuguese *of* Lisbon, *a Predicant Friar, Master of Divinity, and Counsellor to the King and the Tribunal of the supream Holy Inquisition.*

Cæsaris Carenæ, tractatus de Officio Sanctissimæ Inquisitionis, & modo procedendi in causis fidei. Lugduni apud Anisson. 1669. fol. Carena, *D. D. was Auditor of Cardinal* Camporeus, *Judge Conservator, Counsellor, and Advocate Fiscal of the Holy Office.*

Reignaldi Gonsalvii Montani Sanctæ Inquisitionis Hispanicæ artes aliquot detectæ ac palam traductæ. Heidelbergæ 1567. 8.

Pauli Servitæ Historia Inquisitionis, præsertim prout in Dominio Veneto observatur.

Relation de l'Inquisition de Goa. 12. à Paris 1687.

Memoires de la Cour d'Espagne. 12. à la Haye. 1691.

Abrahami Bzovii Annalium Ecclesiasticorum Baronii Continuatio, Antwerpiæ 1617.

Annales Ecclesiastici ex Tomis octo ad unum pluribus auctum redacti: Autore Odorico Raynaldo. Romæ ex Typographia Varesii. 1667. Raynaldus *was of* Treviso, *Presbyter of the Congregation of the Oratory.*

Compendium Bullarii Flavii Cherubini. Lugduni apud Laurentium Durand, 1624. 4.

Lucæ Waddingi Annales Minorum, in quibus res omnes trium Ordinum Franciscanorum tractantur. Lugduni 1625. fol.

Jacobi Augusti Thuani Historia sui temporis.

Jacobus Usserius Archiepiscopus Armachanus de Successione Ecclesiarum in Occidentis præsertim partibus.

Liber Sententiarum Inquisitionis Tholosanæ.

Liber catenatus, MS. inter archiva Capituli S. Salvatoris, Trajecti ad Rhenum.

Glossarium ad Scriptores mediæ & infimæ Latinitatis, Caroli du Fresne Domini du Cange. Lutet. Paris. 1678. fol.

Dominici Macri Hierolexicon. Romæ 1677. fol.

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THE HISTORY OF THE INQUISITION.

CHAP. I.

The Doctrine of JESUS CHRIST *forbids Persecution on the Account of* RELIGION.

ALTHOUGH the very Name of the INQUISITION was not so much as heard of in the Christian Church, before the Thirteenth Century, yet having now spread it self almost throughout the whole World, and become every where notorious; it is not to be wondered at, that there should be a general Curiosity in Mankind of more thoroughly understanding it, and knowing by what Laws it is conducted, and what are the Methods of Proceeding therein. The Doctors of the *Romish Church* give it the highest Commendations, as the only and most certain Means of extirpating Heresies, and an impregnable Support of the

Faith; not invented by human Wisdom and Council, but given to Men by the immediate Influence of Heaven; whose Tribunal breathes nothing but Holiness, and to which they give such Titles as denote the most perfect Sanctity. The Inquisition it self is called the *Holy Office*; the Prison of the Inquisition the *Holy House*, so that the very Name raises it Respect and Veneration: Yea, they go so far as to compare it with the Sun; and affirm, that as it would be accounted ridiculous to commend and extol the Sun, it would be equally so to pretend to praise the Inquisition. The Protestants on the other hand represent it, not only as a cruel and bloody, but most unjust Tribunal; where, as the Laws by which other Tribunals are governed are disregarded, so many Things, which every where else would be esteemed Unrighteous, are commended as Holy. And they are so far from thinking that it is a proper Means of restraining or punishing the Guilty, (which is the principal Thing to be aim'd at by every Tribunal) that on the contrary, they believe it was invented for the Oppression of Truth, and the Defence of Superstition and Tyranny; where Persons, let their Innocency appear as bright as the Sun at Noon-day, are treated as the most vile and perfidious Wretches, and cruelly put to Death by the severest Tortures. I therefore thought it might be of Service to the World, to describe the Origine of this Tribunal; and against whom, and by what Methods they generally proceed in it. In order to this, it is necessary to look back, and deduce this whole Affair from the very Original.

The Christian Religion, taught by the inspired Apostles, made its Progress in the World, and shewed it self to be of Divine Original by the Holiness of its Precepts, the exceeding Greatness of its Promises, and the many Miracles wrought in Confirmation of it; and, at last, brought the whole World into its Obedience without the Assistance of Carnal Weapons, or Temporal Power. Our Lord himself expected only a voluntary Obedience from Mankind; as he required only to be worshipped in Spirit, and commanded every one that would be his Disciple to deny himself, which is the proper Work of the Mind and Soul, and cannot be effected by any external Violence whatsoever. Even God the Father himself heretofore, in order to represent the Nature of the Kingdom of his Son Jesus Christ, shewed it to *Daniel* under the Figure of the Son of Man, whilst the other Kingdoms of this World were denoted by the Images of wild Beasts; for no other Cause undoubtedly, but to shew the different Nature of Christ's Kingdom from the Kingdoms of this World. These are to be erected, enlarged, and preserved by Violence and Arms, and Measures fierce and bestial; his, by Mildness, Gentleness, and the Weight of Arguments, in order to convince, and not offer Force to the Mind. The Precepts of the Gospel breathe nothing but Charity and Love: Our Lord calls Charity his New Commandment, by which he would have all Men know and distinguish his Disciples. But there is nothing so opposite to Charity as the punishing an erroneous Person, who believes he promotes the Divine Glory by his Error; and in Defence of it, is ready to undergo the most cruel and shameful Death.

Our Saviour sent his Disciples like Sheep into the midst of Wolves, in order to bear Testimony to the Gospel by their Patience under Sufferings, and hereby spread the divine Savour of it through the World. It was far from his Design, that like Wolves they should tear and devour the Sheep; or that they should violently compel those by the Terrors of Torments and Death to embrace his Religion, whom they could not gain by the Force of Arguments: Besides, all agree that Faith is the Gift of God, and therefore can never be produced by human Force; nor can God be prevailed on by external Violence to communicate this his excellent Gift. The Mind is to be convinced by Arguments; the Tongue and bodily Members may be forced by external Violence; but this can never extort from any one a real Belief of that to be true, which he is perswaded in his Mind is false: So that nothing can be more directly opposite to the Genius of Christianity, than to persecute the Erroneous; to expose them under the infamous Name of Hereticks to the Fury of the Mob, and punish them with a cruel Death.

Nor are we to think, that these gentle Means of propagating Christianity were proper only for the Time of its first Appearance, when the Church was destitute of the Civil Power; and by Reason of its Opposition to the prevailing Religions of the World, drew upon it self the Anger and Fury of the Princes of it; but that the Case is now alter'd, since the Kings and Rulers, upon their Conversion to the Faith, are obliged to subject their Scepters to Jesus Christ: For the Change of Fortune makes no Change in his Religion; nor can the Alteration of any worldly Affairs take away the Force and Obligation of his Commands; for Christ, by his Apostles, preached one Scheme of Doctrines to last for ever. 'Tis true, that Kings are to submit their Scepters to Christ, not by forcing Men with Punishments, in Opposition to his Commands, to profess, contrary to their Conscience and real Sentiments, what they believe to be false, and so to fill his Church with Hypocrites instead of true Believers; but by ordaining equal and just Laws, agreeable to the Gospel Precepts, for the Preservation of the Publick Tranquility; and that there may be nothing to obstruct the true spiritual Worship of God, and the Salvation of Souls. This is that most harmless, and yet most powerful Method of propagating the Gospel, agreeable to its Nature and Genius, by which in the Beginning, it was spread in a short Time through the whole World, by a few weak and defenceless Persons, instructed only by the Divine Spirit, through the Weight of its Arguments, and the Power of its Miracles; and by which it may be still propagated, and preserved pure and uncorrupt, against all the Attempts of Unbelievers and Hereticks: For our Lord did not furnish his Disciples with carnal Weapons to oppose the Frauds, Impostures, Violence and Persecutions of the World, but with spiritual Weapons, which through God are powerful to bring every Imagination into Captivity to the Obedience of Christ, that they might triumph over the World in the midst of Afflictions, by their Innocence, Simplicity, Fortitude and Patience. So far indeed was he from ordaining

ordaining Persecutions, as the Punishment of Error, that he commands his Church, when suffering Persecutions, to pray for those that persecute it. By this Means the Church in the Beginning was founded, and so wonderfully propagated throughout the whole World in its first and purest Ages.

CHAP. II.

The Opinion of the PRIMITIVE CHRISTIANS *concerning Persecution.*

AGREEABLE to this Practice was the universal and constant Doctrine of these Times; for the primitive Christians opposed with the greatest Vigour, all Cruelty and Persecution for the Sake of Religion. 'Tis true, indeed, that they condemned the Heathen for their Barbarities; and argued wholly for this, that Christians should have the free Exercise of their Religion granted them; but they us'd such Arguments, and Topicks of Reasoning, and even sometimes when treating of different Subjects, express'd themselves in such a manner, as plainly declares that they do equally condemn all Sort of Violence for the Sake of Religion, against all Persons whatsoever. Thus *Tertullian*, in his Apology, *c.* 24. says: *Take heed that this be not made use of to the Praise of Impiety*, viz. *to take away from Men the Liberty of Religion, and forbid them the Choice of their Deity; so that it should be criminal for them to worship whom they would, and they should be compelled to worship whom they would not; no one would accept of an involuntary Service, no not a Man.* And in the 28th Chap. *It plainly appears unjust, that Men possessed of Liberty and Choice, should be compelled against their Will to sacrifice. For in other Cases a willing Mind is required in the Performance of Divine Worship; and it may justly be accounted ridiculous to force any Person to honour the Gods, whom he ought willingly for his own Sake to endeavour to appease.* And again, in his Book to *Scapula*, cap. 2. *Every one hath a natural Right and Power to worship according to his Perswasion, for no Man's Religion can be either hurtful or profitable to his Neighbour: Nor can it be a Part of Religion to compel Men to Religion, which ought to be voluntarily embraced, and not through Constraint; since 'tis expected, that even your Sacrifices should be offered with a willing Mind; so that if you compel us to sacrifice, think not to please your Gods; for unless they delight in Strife, they will not desire unwilling Sacrifices: But God is not a Lover of Contention.* *Cyprian* also agrees with *Tertullian* his Master, in his 62d Letter to *Pomponius*, concerning Virgins, where, treating of the Excommunication of Offenders, he thus speaks: *God commanded, that those who would not obey his Priests, and those Judges, which Time after Time he appointed, should be slain. Such were cut off with the Sword during the Dispensation of the Circumcision in the Flesh. But now, since the spiritual Circumcision takes Place in all the faithful Servants of God, the Proud and Obstinate are to be slain* with

with the ſpiritual Sword, by being caſt out of the Church. And in his 51ſt Letter to *Maximus*, the Presbyter, diſputing againſt thoſe who ſeparated themſelves from the Church, he ſpeaks to them in this manner: *Since upon your Deliverance from Priſon, you became infected with an heretical and ſchiſmatical Opinion, ſo it was, that all your Glory remained in Priſon behind you; There you ſeemed to have left the Dignity of your Character, ſince you, the Soldiers of Chriſt, returned not to the Church when you came from your Impriſonment, who went into Impriſonment with the Commendation and Applauſes of the Church; for though there may be Tares in the Church, this ought to be no Obſtruction to our Faith and Charity; nor is their being in the Church any Reaſon for our Departure out of it: It ſhould be our Care that we be found the true Wheat, that when the Maſter ſhall gather it into his Granaries, we may reap the Fruit of our Work and Labour. The Apoſtle, in his Epiſtle to the* Corinthians, *ſays*, That in a large Houſe there are not only Veſſels of Gold and Silver, but of Wood and Earth, ſome to Honour, and ſome to Diſhonour. *Let us endeavour, as much as we can, to be found amongſt thoſe of Gold and Silver. 'Tis the ſole Prerogative of the Lord to break the Earthen ones, to whom the Iron Rod is committed. The Servant cannot be greater than his Lord; nor ſhould any one arrogate to himſelf what the Father hath committed to the Son only,* viz. *to winnow and purge the Flower, and ſeparate, by any human Judgment, the Chaff from the Wheat.* And in his 55th to *Cornelius*: *Nor let any one wonder that ſome ſhould forſake the Servant appointed over them, when the Diſciples left the Lord himſelf, though he wrought the greateſt Signs and Wonders; and proved by the Teſtimony of his Works, that he acted by the Power of his Father. And yet he did not reproach or grievouſly threaten them when they forſook him, but gently turned to his Apoſtles and ſaid,* What, and will you forſake me alſo? *Obſerving that ſacred Law, of every one's being left to his own Liberty and Will, and making for himſelf his own Choice, whether of Life or Death.* And a little after, to the ſame Purpoſe: *As for our part, moſt dear Brother, we are in Conſcience obliged to endeavour, that no one periſh from the Church through our Default; but if any one deſtroys himſelf, and will not repent and return to the Church, we who endeavoured their Salvation, ſhall be without Blame in the Day of Judgment; and they only remain in Puniſhment, who would not be healed by our ſalutary Admonitions.* And ſince from theſe Paſſages, it plainly appears, that *Cyprian* taught, that all Force in Matters of Religion, is contrary to the Nature of Chriſtianity; I cannot but take Notice of the Diſhoneſty of *Bellarmine*, who in his 3d Book of Controverſies, *c.* 21. brings in *Cyprian* as a Defender of the Murder of Hereticks; who *having in his Book concerning Martyrdom, cited that Paſſage out of* Deut. xiii. *That the falſe Prophet ſhall be ſlain, adds, If this was to be done under the Old Teſtament, much more under the New.* But if we look to the Words immediately following, we ſhall find that *Cyprian*'s Opinion was quite the reverſe: For theſe are the Words of *Cyprian*: *If before the coming of Chriſt, the Commands of worſhipping God, and forſaking Idols, were to be obſerved, how much rather are they to be obſerved ſince his Appearance? who not only exhorted us by Words, but by his own Actions; and who, after having endured all manner of Injuries and Reproaches, was crucified, that he might leave us an Example*

de Laicis.

how

how to suffer and die. So that he hath no Excuse who will not suffer on his own Account; for as he suffered for the Sins of all, how much more ought every one to suffer for his own Sins? If this Passage be read entire, it will appear, how very falsly *Bellarmine* hath applied it to the Defence of the Murder of Hereticks, which was only intended as an Exhortation to the patient suffering of Martyrdom.

Lactantius defends the same Doctrine in a nobler and plainer manner, *lib.* 5. *c.* 20. *There is no need of Compulsion and Violence, because Religion cannot be forced, and Men must be made willing, not by Stripes, but Arguments. Let them draw the Sword of their Reason: If their Reasons are good, let them produce them; we are ready to hear, if they can teach; if they are silent, we cannot believe them: If they pretend to force us, we cannot yield to them: Let them imitate us, or fairly debate the Case with us. 'Tis not our manner, as they object, to entice Men; we teach, prove, and demonstrate; no one is kept amongst us against his Will; and he must be unacceptable to God, who wants Devotion and Faith; and yet none forsake us, being preserved by the sole Evidence and Force of Truth.* And a little after: *Let them learn from this what Difference there is between Truth and Falshood; in that they, though boasting of their Eloquence, cannot perswade; yet Christians, though unskilful and ignorant, can; for the Thing it self, and Truth pleads in their behalf. To what Purpose then is their Rage, but to expose more that Folly which they strive to conceal? Slaughter and Piety are quite opposite to each other; nor can Truth consist with Violence, or Justice with Cruelty.* And a little after: *They are convinced that there is nothing more excellent than Religion, and therefore think that it ought to be defended with Force; but they are mistaken both in the Nature of Religion, and in the proper Methods to support it; for Religion is to be defended, not by Murder, but Perswasion; not by Cruelty, but Patience; not by Wickedness, but Faith. Those are the Methods of bad Men, these of good; and 'tis necessary that a religious Man should be good, and not evil; for if you attempt to defend Religion by Blood and Torments, and Evil, this is not to defend, but to violate and pollute it: For there is nothing should be more free than the Choice of our Religion, in which, if the Consent of the Worshipper be wanting, it becomes entirely void and ineffectual. The true Way therefore of defending Religion is by Faith, a patient Suffering, and Dying for it: This renders it acceptable to God, and strengthens its Authority and Influence.* This was that most harmless Perswasion of the Primitive Christians, before the World had yet entered into the Church, and by its Pomp and Pride had perverted the Minds, and corrupted the Manners of its Professors.

CHAP.

CHAP. III.

The Laws of the EMPERORS, *after the* Nicene Council, *against the* Arians *and other Hereticks.*

AFTER the Conversion of *Constantine* to the Christian Religion, the Civil Power became vested in the Hands of Christians. This Change in their Circumstances produced as great a Change in their Doctrine and Manners; and the degenerate Posterity, deviating from the Example of their Ancestors, introduced into the Church Methods of Cruelty, not only equal to those of the Heathen, but even greater than were ever practised by them. What gave the first Rise to it was, the Dispute between *Alexander*, Bishop of *Alexandria*, and *Arius*, a Presbyter of the same Church: When the News of this was brought to *Constantine*, he first by Letters sharply reproved them both: *Alexander* for being needlesly inquisitive, and *Arius* for his imprudent Answers, *about an unnecessary Question, which arose from their want of being better employ'd, and a contentious and factious Spirit*; and seriously exhorts them to mutual Peace in these Words amongst others: *Since therefore the one hath been needlesly inquisitive, and the other as imprudent in his Answers, you ought mutually to pardon each other: And as you do not differ about any of the principal Requirements of the Christian Law, nor pretend to introduce any new Opinion into the Worship of God, but are in these Things of one and the same Mind, you ought to maintain Communion with one another.* (*Euseb.* in Life of *Constant.* l. 2. c. 69, 70. *Socrat.* l. 1. c. 7.) But afterwards, with the Perswasion of the Bishops, or out of some political View, he called the *Nicene Council*, that by their Authority the Opinion of *Arius* might be condemned. *Eusebius*, who was present at that Council, was able to give the best Account of it; but he chose rather that their Actions should be for ever forgotten, and contented himself in a very few Words to declare the Issue of it: And if we add to the Account given by him, the somewhat larger one given by *Socrates*, it appears plain, that all who would not subscribe to their Decrees, were condemned to Banishment, and there is no room to doubt, such are the Frailties of human Nature, but that many through Fear were compelled to subscribe. Some few indeed there were, who not at all terrified with the Fear of Banishment, went into Exile with *Arius*, whom the Synod had condemned, because they would not consent to his Condemnation. The Emperor himself put forth an Edict, by which he ordained, that all the Books written by *Arius* should be burnt, *condemning to Death every one that should conceal any of* Arius's *Books, and not commit them to the Flames.* (*Socrat.* l. 1. c. 9.) He afterwards put forth a fresh Law against the Recusants, by which he took from them their Places of Worship, and prohibited their Meeting not only in publick, but even in any private Houses whatsoever. (*Euseb.* Life of *Constan.* l. 3. c. 65.)

After they had thus proceeded to Methods of Severity, and civil Punishments were decreed against those, whose Opinions the Council were pleased to

condemn, whom they exposed under the infamous Name of Hereticks, and render'd odious to the People, their Cruelty was not satisfied with one Degree of Punishment only; they went from one to another, that so the Doctrine condemned by the Council might find none that should dare to defend it, and so might at last be totally extirpated. From pecuniary Mulcts, they proceeded to the Forfeiture of Goods, Banishment, and at length to Slaughter and Blood; for such is the Nature of Cruelty, that it seldom confines it self to the first Beginnings; but when it is once let loose, like an impetuous Torrent, it speads it self every where, and from every Occasion grows more outragious and furious. This will appear most plainly in the Account I am now giving of the Methods for the Restraining and Punishment of Hereticks.

For in the first Place, Laws were made against Hereticks, whereby they were prohibited from having Churches, holding Assemblies, the enjoying any Ecclesiastical Preferments, the Consecration of Bishops, the Ordination of Priests, the making of Wills, the succeeding to Inheritances, the sharing in any Charities, the Advancement to publick Offices, and ordaining severe Punishments against those who did not observe these Prescriptions.

L. Omnes, c. de Hæret. And first, it was determined who should be accounted Hereticks. *They are comprehended under the Name of Hereticks, and are adjudged to the Punishments pronounced against such, who shall be discovered to differ, even in the least Point, from the Judgment and Practice of the Catholick Religion.* By the same Law it is ordained, *That no one should dare, either to teach or learn those Things that shall have been decreed to be profane.*. *Cuncti.* By the Law following, their Churches are taken from them, and they are prohibited to perform Holy Offices, either in private Houses or Churches, under the Forfeiture of one hundred Pounds of Gold upon all Contraveners. *Manichæos.* The following Law is yet more severe, which takes from them the Power of Giving, Buying, Selling, making Contracts or Wills, or inheriting their Parents Estates, unless they renounce their heretical Pravity. There are many Laws extant concerning the Banishment of Hereticks. *Theodosius* II. and *Valentinian* III. counting up thirty-two Sects, and their Followers, decree, *Let not these and the* Manicheans, *who are arisen to the Height of Impiety, have the Liberty of dwelling any where within the Dominions of the* Roman *Empire: Let the* Manicheans *be expelled from every City, and punished with Death; for they are not to be suffered to have any Dwelling on the Earth, lest they should infect the very Elements themselves.* (*L. Ariani, c. de Hæret.*)

See also *L. Quicunque*, where the forementioned Penalties are not only repeated, but other kinds of Punishments ordained against them; which are all extant in the Law of the Emperor *Martian*, who renews the Punishments ordained by the preceding Emperors against the *Eutichians*, and which is recorded at the End of the Council of *Chalcedon*, and which will suffice instead of all other Instances. By this Law the Emperor ordained, *That they should not have Power of disposing their Estates, and making a Will, nor of inheriting what others should leave them by Will. Neither let them receive Advantage by any Deed of Gift, but let whatsoever is given them, either by the Bounty of the Living, or the Will of*

the Dead, be immediately forfeited to our Treasury; nor let them have the Power, by any Title or Deed of Gift, to transfer any Part of their own Estates to others. Neither shall it be lawful for them to have or ordain Bishops or Presbyters, or any other of the Clergy whatsoever; as knowing that the Eutychians *and* Apollinarists, *who shall presume to confer the Names of Bishop or Presbyter, or any other sacred Office upon any one, as well as those who shall dare to retain them, shall be condemned to Banishment, and the Forfeiture of their Goods. And as to those who have been formerly Ministers in the Catholick Church, or Monks of the orthodox Faith, and forsaking the true and orthodox Worship of the Almighty God, have or shall embrace the Heresies and abominable Opinions of* Apollinarius *or* Eutyches, *let them be subject to all the Penalties ordained by this, or any foregoing Laws whatsoever against Hereticks, and banished from the* Roman *Dominions, according as former Laws have decreed against the* Manicheans. *Farther, let not any of the* Apollinarists, *or* Eutychians, *build Churches or Monasteries, or have Assemblies and Conventicles either by Day or Night; nor let the Followers of this accursed Sect meet in any one's House or Tenement, or in a Monastery, nor in any other Place whatsoever: But if they do, and it shall appear to be with the Consent of the Owners of such Places, after a due Examination, let such Place or Tenement in which they meet be immediately forfeited to us; or if it be a Monastery, let it be given to the orthodox Church of that City in whose Territory it is. But if so be they hold these unlawful Assemblies and Conventicles without the Knowledge of the Owner, but with the Privity of him who receives the Rents of it, the Tenant, Agent, or Steward of the Estate, let such Tenant, Agent, or Steward, or whoever shall receive them into any House or Tenement, or Monastery, and suffer them to hold such unlawful Assemblies and Conventicles, if he be of low and mean Condition, be publickly bastinado'd as a Punishment to himself, and as a Warning to others; but if they are Persons of Repute, let them forfeit ten Pounds of Gold to our Treasury. Farther, let no* Apollinarist *or* Eutychian *ever hope for any military Preferment, except to be listed in the Foot Soldiers, or Garrisons: But if any of them shall be found in any other military Service, let them be immediately broke, and forbid all Access to the Palace, and not suffered to dwell in any other City, Town or Country, but that wherein they were born.*

But if any of them are born in this august City, let them be banished from this most sacred Society, and from every Metropolitan City of our Provinces. Farther, let no Apollinarist, *or* Eutychian, *have the Power of calling Assemblies, publick or private, or gathering together any Companies, or disputing in any heretical manner; or of defending their perverse and wicked Opinions; nor let it be lawful for any one to speak or write, or publish any thing of their own, or the Writings of any others, contrary to the Decrees of the venerable Synod of* Chalcedon. *Let no one have any such Books, nor dare to keep any of the impious Performances of such Writers. And if any are found guilty of these Crimes, let them be condemned to perpetual Banishment; and as for those, who through a Desire of Learning, shall hear others disputing of this wretched Heresy, 'tis our Pleasure that they forfeit ten Pounds of Gold to our Treasury, and let the Teacher of these unlawful Tenets be punished with Death. Let all such Books and Papers as contain any of the damnable Opinions*

of Eutyches, *or* Apollinarius, *be burnt, that all the Remains of their impious Perverseness may perish with the Flames; for 'tis but just that there should be a proportionable Punishment to deter Men from these most outragious Impieties. And let all the Governors of our Provinces, and their Deputies, and the Magistrates of our Cities, know, that if, through Neglect or Presumption, they shall suffer any Part of this most religious Edict to be violated, they shall be condemned to a Fine of ten Pounds of Gold, to be paid into our Treasury; and shall incur the farther Penalty of being declared infamous.*

Given at *Constantinople*, in the Ides of *August*, and the Consulate of *Constantius* and *Rufus*.

At the same Time that they published these cruel Laws, the Authors of them would fain be thought to offer no Violence to Conscience. This same Emperor *Martian*, in another Epistle to the *Archimandrites* of *Jerusalem*, at the End of the Acts of the Synod of *Chalcedon*, says, *Such therefore is our Clemency, that we use no Force with any one, to compel him to subscribe or agree with us, if he be unwilling: For we would not by Terrors and Violence drive Men even into the Paths of Truth.* Who would not wonder that they should thus seek to colour over their Cruelties? A Doctrine is forbidden to be learnt or taught, under the severest Penalties, which those ought to think themselves obliged to profess, who are perswaded of the Truth of it; and those who do profess it, are for that Reason exposed to many Punishments; and yet the Authors of such Punishments would still be thought to offer no Violence to Conscience. But I would fain know, for what End are all these Penalties against Hereticks ordained? For no other surely, but that Men may be deterred by the Fear of them from meeting together, and openly professing themselves, or teaching others those Doctrines, which they think themselves obliged in Conscience both to profess and propagate; and that being at length quite tired out by these Evils, they may join themselves to the established Churches, and at least profess to believe their received Opinions. But this is to offer Violence to Conscience, or to force Men, by the Fear of Punishments, not to profess what they believe, or to pretend to believe what they do not; neither of which can be done, but in Opposition to the Voice and Dictates of Conscience.

Simanc. Tit. 46. §. 48. The Constitution of *Theodosius* was in much severer Terms, which is extant in the Code of *Theodosius*, *tit. de Judæis*, *l.* 1. & *lib.* 16. *tit.* 6. *l.* 75. in which we read thus: *Farther, we ordain, that whosoever shall perswade or force a Slave, or Freeman, to forsake the Worship of the Christian Religion, and join himself to any accursed Sect or Rite, let him be punished with the Loss of Fortune and Life.* And a little after: *Let him first incur the Forfeiture of his Goods, and afterwards be condemned to the Loss of Life, who by false Doctrine shall pervert any one from the Faith.* This Law so pleases *Simanca*, that he congratulates himself on its being made by an Emperor that was a *Spaniard*; for after having recited

recited it, he adds: *A Law truly worthy of an Emperor that was a* Spaniard, as though it was the Glory of *Spain* to exceed all Nations in Cruelty, and its Honour, even in former Ages, to have been as remarkable for using severer Methods of Punishments in this World to miserable Hereticks than others, as they now are for the Barbarities practised by the bloody Tribunal of the Inquisition. The Emperors *Honorius* and *Theodosius* also, *Cod. Ne Sanct. Baptisma iteretur, l.* 2. thus command: *If any one shall be discovered to have rebaptized any of the Ministers of the Catholick Party, let him be put to Death, both the Person guilty of this execrable Impiety (if he be of an Age capable of Guilt) and the Party seduced by him.*

And that there might be no Remains of the Opinions condemned by the Synod, and to prevent their being transmitted to Posterity; it was prohibited by the severest Laws, either to keep or transcribe any of their Books. We have seen before the Law of *Constantine*, against all who should conceal any of *Arius*'s Books; and another Edict of *Martian*, against the Books of *Eutyches*. *Theodosius* published such another Law against the Books of *Nestorius*, after he had been condemned in the Council of *Ephesus*, *l. Damnato, c. de Hæreticis*: *Let not any one dare to keep, or read, or transcribe the impious Books of the accursed and execrable* Nestorius, *written against the venerable orthodox Party, and the Decrees of the most holy Council of Prelates at* Ephesus; *and we ordain that they be diligently sought after, and publickly burnt.* *Justinian* also forbids the transcribing any heretical Books, under the Penalty of having the Hand cut off. For after that *Anthimus* had been condemned in the fifth Synod, he made this Law against his Books. Novel 42. *cap.* 1. *We prohibit all to keep any of his Books: And as it is not lawful for any one to write, or have in his Possession the Books of* Nestorius, *according as the Emperors, our Predecessors, have thought fit in their Constitutions to ordain, with respect to the Sayings and Writings of* Porphyry *against Christianity; so let nothing said or written by* Severus *remain in the Possession of any Christian; but let them be abhorred as profane by the Catholick Church, and burnt by those that have them, unless they are willing to suffer the appointed Penalty. Let them not therefore be transcribed by the Notaries of any Sort, as knowing that the Punishment of those who shall write any of his Books, shall be the Loss of their Hand.* From these several Laws, *Conrad Brunus* infers, that the Schools of Hereticks are to be destroyed thus: "The Schools of Hereticks "are to be destroyed by these Means. Heretical Masters must be removed, "the Scholars must be prohibited from coming to their Schools, the Places "they use to meet in must be appropriated to Ecclesiastical Purposes. The "Masters are to be removed by being publickly put to Death; the Punishment ordained against Hereticks, who shall dare to teach unlawful Opinions, as *Valentinian* and *Martian* have enacted, *l. Quicunque, c. de Hæret.* "The Scholars are to be prohibited from going to heretical Schools by a pecuniary Mulct, *viz.* under the Forfeiture of ten Pounds of Gold, according "to the Constitution of the Emperor *Martian*, *d. l. Quicunque*, §. *Eos vero*, "*c. de Hæret.* And in general, the Houses where heretical Assemblies and "Conventicles are held, are to be forfeited to the King or Church; but

Brun. l. 6. c. 5. §. 27, *&c.*

" those especially wherein their Errors and Heresies are taught; according " to the Constitution of *Justinian* against *Anthimus*, &c. *Interdicimus autem*, &c. Thus did the Christians imitate the Heathen Cruelty, by persecuting those that differed from them, and followed the Example of *Julian*, in destroying their Schools, which the Heathens themselves condemned as barbarous and cruel: For thus *Ammianus Marcellinus* declares, b. 25. *His Laws, absolutely commanding some Things to be done, and forbidding others, were generally good, some few excepted; among which was that cruel one, by which he prohibited the Christian Masters of Rhetorick and Grammar to teach, to prevent any from forsaking the Worship of the Gods:* But in Process of Time, under the Government of the Popes, the Edicts of the Christians vastly exceeded this Cruelty of *Julian*.

'Tis true, these were Laws made by the Civil Magistrate, but that they were published with the Approbation of the Bishops, no one can doubt, who compares our Times with the Antient. The Bishops could not bear that their Decrees and Anathemas should be slighted as insignificant and harmless Flashes. They would fain have all condemned by their Sentence appear to others to be justly condemned; and eagerly thirsted after the Mitres and Churches of those, whose Doctrines they were pleased to anathematize; and therefore, in order to get Possession of them, it was found necessary to arm the secular Power, and to enact civil Laws against them, that hereby they might strip them of their Dignities, and drive them into Banishment, in order to enter on their vacant Sees. Nor let any one imagine, that the ancient Times were more holy than ours; the same worldly Spirit that now influences our Synods, governed the Councils of the ancient Bishops: Even the Council of *Nice*, so much celebrated and extolled, is an abundant Proof of this. Such was the fierce and restless Spirit of the Bishops there met together; so many and bitter their Contentions, that, forgetting the principal Cause of their meeting together, they meanly presented Accusations against each other to the Emperor, who, that he might put an End to their Quarrels, ordered the Accusations to be burnt; and commanded them that they should immediately go upon the Business for which they had been assembled. Who can believe, that an Assembly of Men, inflamed with Passion and mutual Hatred, and breathing nothing but Revenge, would rest contented, with having procured the Condemnation only of their hated Enemies, and not rather use their utmost Endeavours to excite the Emperor to banish those whom they had condemned?

Hist. Ec. l. 7. c. 3. But not to rely on Conjectures, *Socrates* expresly tells us: " That *Theodosius* " Bishop of *Synada* in the greater *Phrygia*, cruelly persecuted the Hereticks " of the *Macedonian* Sect, of which there was a great Number in that " City; driving them not only from the City, but from the very Country " also; *not according to the Custom of the orthodox Church, which uses no Methods of Persecution*, nor thro' Zeal for the true Faith; but from a covetous " Desire of enriching himself with the Spoils of the Hereticks. To this End " he left no Means untried to ruin the Followers of *Macedonius*, arming his " Clergy, and persecuting them by innumerable subtle Methods, and Tricks " of Law. But his Malice was principally levelled against their Bishop *Aga-*

" *petus*, whom he tired out with repeated Injuries. And because he did not
" think the Governors of the Provinces sufficient for the Punishment of Here-
" ticks, he went to *Constantinople* to solicite new Edicts from the Magistrates.

Nor were the Bishops of *Rome* afraid to implore the Assistance of the Emperors against Hereticks. Pope *Anastasius* perswaded the Judges to condemn the *Manicheans* to perpetual Banishment, whom he could not bring over to the Catholick Faith; lest by their Contagion they should infect the holy Flock. And *Leo* the Great, writing to *Leo* the Emperor, says: *That the perverse and ensnaring Disputations of the Hereticks would soon come to an End, if put under Restraint by the Imperial Power.* And in his 43d Epistle to the same Prince: *Vouchsafe, by your Regard for the Faith, to yield this Remedy to the Church; that Hereticks may not only be kept out of all holy Orders, but even expelled from every City, that the holy People of God may be in no farther Danger of Infection from these wicked Men.* And in his 45th Epistle, he exhorts the Empress *Pulcheria, That she would banish* Eutyches *further from* Constantinople, *that he might receive no Comfort from those whom he had drawn over to his Impiety.* *Simanca, tit. 49. §. 14.*

But further, when they had got into Possession of the supreme Power in *Rome*, they were oftentimes the Authors of Persecution themselves. Pope *Celestine*, as *Socrates* relates in his Ecclesiastical History, *b. 7. c.* 11. " took
" from the *Novatians* their Churches in *Rome*, so that *Rusticula*, their Bishop,
" was forced to meet his Flock in private Houses: For till this Time the
" *Novatians* flourished in *Rome*, were in Possession of many Churches, and
" had large Congregations to fill them; but they fell a Sacrifice to Envy,
" because, *The Bishops both of* Rome *and* Alexandria *had usurped a tyrannical* (N. P.)
" *Power, exceeding all the Bounds of the Priesthood.* For this Reason, the Bishops
" of *Rome* did not permit even those who agreed with themselves in Opi-
" nion, to hold free and open Assemblies; but though they praised them for
" their Agreement with them in the Faith, yet deprived them of all their
" Substance. But the Bishops of *Constantinople* were however free from this
" wicked Spirit; for they not only suffered the *Novatians* to meet within the
" City, but even bore them a very sincere Affection." But the Bishops of *Rome*, even when they had no Power at *Constantinople*, yet by their perpetual Solicitations of the Emperors there, at last extorted from them the Oppression of Hereticks. Whilst *Justinian* was Emperor, the Followers of *Anthimus* and *Severus* held their publick Assemblies, although they had been condemned and excommunicated by the Pope of *Rome*. Wherefore the Bishops of the *Second Syria*, and the *Archimandrites* and *Monks*, sent Letters to *Agapetus*, Bishop of *Rome*, then at *Constantinople*, in which they besought him to deliver them from Hereticks. The Bishops thus: *Take from us speedily these evil Men, and offer up this acceptable Sacrifice to God and our Saviour, that we may have a good Account to give in the future awful Judgment. Preserve the Ecclesiastical Dignity free from all Fear, and the thrice repeated heretical Disturbance; establish our Order; and put our most just Emperor in Mind of those many and righteous Sentences that were first pronounced from the Apostolick Chair; ordaining, that those who had their impious Writings should deliver them up, and commit them to the Flames,*

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in Imitation of those who were inflamed with Zeal to destroy the Writings of the Manicheans, *and those of the impious* Nestorius, *and the hardned* Eutyches, *and* Dioscorus *their Father and Protector: So will you deprive of all Hope those who vainly trust in them. We therefore pray, most holy Father, that you would put in Execution that Sentence against* Anthimus, *which is both God's and yours, that so all Offence may be removed from these little ones, that believe in the Lord, and from us all.* The Monks also making the same Request, in the Conclusion give this Reason for it: *For this Cause we have sent unto you to* Rome, *and have promised and even undertaken for your desired Return. We have received these Promises from the most pious Emperor, that what you shall canonically pronounce, he will piously execute, that all the World may be delivered from this present Disturbance by them. Agapetus* had passed his Sentence before this Request of the Bishops and Monks, and condemned *Anthimus*, and pronounced, that as he had been expelled from the Bishoprick of *Constantinople* before, so he should now be banished from that of *Trapezuntium*, and degraded from every priestly Office and Function. *But no sooner had he received these Letters of the Bishops and Monks, but he sent to* Justinian *the Emperor, that he would banish those whom he had condemned for Hereticks. Baronius* adds, *When he had done these Things, and thus performed all the Duties of his Office, the most holy* Agapetus *died, in order to receive his Reward now his Work was done:* As though it was such an heroick Action, to conclude his Life with exciting the Emperor to persecute those whom he had condemned for Hereticks, as merited the Reward of eternal Salvation. After the Death of *Agapetus*, the Monks renewed their bloody Petitions to the Emperor, and beseech'd him that he would banish those whom *Anacletus* had condemned as Hereticks: *For*, say they, *there is Reason to fear, most pious Emperor, lest for our long Delay, that of the People of* Israel *should happen to us, who have amongst us Men accursed from the Priesthood; who (because they had in the Midst of them* Achan *and* Jonathan, *who exposed themselves to a Curse, the one wilfully, the other through Ignorance) were in Danger of being entirely destroyed, though they knew not that they had the accursed Thing amongst them. Despise not therefore, O ye most Christian Emperors, so great an Evil, but be filled with Zeal to promote the Knowledge of God and his Interest, fulfilling what is written:* A wise King scattereth the Wicked; *that with* David *and* Josias, *and* Elias *and* Agapetus, *who were inspired with the noblest Zeal for God, you may have a Part in this World as they had, and bring all your Enemies under your Footstool; and that he may grant you hereafter, with them, an eternal Kingdom, who hath promised, that he will give an hundred fold here, and hereafter Life eternal.* Not long after, *Anthimus* and his Followers were condemned by the Council of *Constantinople*, through the Intrigues of the *Roman* Legates; and many Petitions were offered to the Emperor for the Banishment of those the Synod had condemned as Hereticks; so that by the cursed Solicitations of the Ecclesiasticks, he was even forced to consent to their Persecution.

It must however be owned, that some of the Bishops were Enemies to Persecution; and being of more moderate Sentiments, blamed those who defended and encouraged it. *Sulpitius Severus* tells us: *That* Idacius *and* Ithacius *foolishly*

applied themselves to the secular Powers, that by their Sentence and Authority they would banish the Hereticks from Cities, viz. Instantius *and* Salvianus, Helpidius *and* Priscillianus. And when afterward *Priscillianus* appealed from the Synod of *Burdeaux* to the Emperor, the Bishops *Idacius* and *Ithacius* followed him as his Accusers: *But* Martin, *then Bishop of* Treves, *was continually soliciting* Ithacius *to desist from his Accusation*; *and prayed* Maximus *that he would abstain from the Blood of those unhappy Men*; *that it was more than sufficient, that they were adjudged Hereticks, and expelled the Churches by the Episcopal Sentence*; *and that it was a new and unheard-of Impiety, that the Civil Power should judge in the Affairs of the Church.* And the Intercession of *Martin* prevailed so far, *that whilst he continued at* Treves *all Process was stopped*; *and when he was about to go from thence, by a peculiar Influence, he obtained a Promise from* Maximus, *that nothing cruel should be inflicted upon the Accused*; although, after his Departure, *Priscillianus* was condemned to Death. The Reason assigned by *Bellarmine*, that these Bishops were censured, *viz. because they brought an Ecclesiastical Affair before the Emperor, and became Accusers in a Cause of Blood,* is very frivolous. 'Tis true, that *Martin* blames *Ithacius* that he accused *Priscillian* before the Emperor's Tribunal; and that, as *Sulpicius Severus* testifies, not so much from his Hatred of Heresy, as from a Desire of Revenge; and therefore *Martin* adds, that it was a new and unheard-of Impiety, that the secular Power should judge an Ecclesiastical Cause. But by this *Martin* plainly shows, that secular Punishments ought never to be inflicted on religious Accounts, because Matters of Faith do not come under the Cognizance of the secular Tribunal; and that the Progress of Heresy neither can nor ought to be prevented by the Blood of Hereticks; and therefore he obtained a Promise from *Maximus* that nothing cruel should be inflicted on the Accused. We acknowledge with *Bellarmine*, that a Bishop ought not to be an Accuser in the Cause of Blood; but at the same Time, cannot imagine, with what Justice a Bishop, who ought not to act the Part of an Accuser, may not only excommunicate Hereticks, but, as *Bellarmine* contends, deliver them over to the secular Power, and even exhort the Judges to perform their Duty: For this is something more than to act the Part of an Accuser. An Accuser only labours to prove the Crime, that when proved, the Judge may pass Sentence on it; but when a Bishop, by his own Sentence, pronounces any Person an Heretick, and delivers him over to the secular Arm, he lays the Judge under a Necessity of burning, without any farther Examination, the miserable Heretick. And if, thro' Compassion, he seems willing to defer the Execution, the Bishop exhorts, and even compels him, under the Penalty of Excommunication, to perform his Office. Who in such a Case will clear the Bishop from the Guilt of the Blood and Murder of the Heretick? Who doth not see that the Bishop is the sole Cause; and the Civil Magistrate, who in all Things blindly submits to the Bishop, is the Instrument only of the Heretick's Death; especially as it is unlawful for him, under any Pretence, to refuse Obedience to the Bishop's Orders? If therefore 'tis unlawful for a Bishop to turn Accuser in a Case of Blood; much more unlawful is it for him to deliver those he condemns as He-

reticks to the secular Arm, and press the Civil Power to put their Sentence in Execution. But to return from this Digression. *Martin* not content to blame *Ithacius*, after *Priscillian* was put to Death, excommunicated him, and with him those who were the Authors of his Murther. The Fear of this Excommunication saved many, that had been thrown into Prison, from Death. The Emperor, who favoured *Ithacius* and *Ursatus*, oftentimes pressed, and at last commanded *Martin* that he should communicate with him; but could not prevail, till he had promised to recal the Tribunes that had been sent into *Spain* to destroy the Churches: Nor could he be at last prevail'd with, notwithstanding the vigorous Endeavours of the Bishops, to subscribe to his Consent to communicate with him; so unjust did it seem to him to punish Men with Death for their Errors in Matters of Faith. Few indeed was the Number of these Bishops, who had the Courage to oppose this persecuting Spirit; and therefore, generally speaking, the poor Hereticks were made to undergo all Sorts of the most cruel Punishments.

CHAP. IV.

The ARIAN *Persecutions of the* ORTHODOX.

BUT neither did the *Arians*, when they had an Emperor of their own Party, refrain from any Sort of Cruelty, but persecuted those, by whom they had been deprived, with a more implacable and bloody Hatred. The Persecutions against *Athanasius*, their principal Adversary, are notorious to all. *Athanasius* himself, in his Letter to the Hermits, gives us many Instances of their Cruelty, which is the Burthen of his Epistle; and aggravated as far as Words can do it, *viz.* That they scourged the Bishops in *Egypt*, and bound them with cruel Chains; That they sent *Sarapammo* into Banishment, and beat *Potammo* in so barbarous a manner on his Back, that he was left for dead, and died soon after of his Bruises and Pain; That they would not suf-
p. 817. fer a dead Woman to be buried; That they ejected many Bishops from their
p. 821. Sees, and sent them into Banishment; and that they obtained an Edict from the Emperor, that the Bishops should not only be banished from the Cities and Churches, but even punished with Death wherever they could be found. And he adds: *That so dreadfully were Men terrified by them, that some pretended to believe their Heresies; and others through Fear chose rather to fly into Desarts*
p. 829. *than fall into their Hands.* In another Place he says: *How many Bishops were brought before Governors and Kings, and heard this Sentence from their Judges:* EITHER SUBSCRIBE, OR DEPART FROM YOUR CHURCHES? *For the Emperor hath commanded you should be banished from your Churches. How many in every City scattered themselves up and down for fear of being accused as the Bishops Friends? For the Magistrates were written to, and commanded upon*

Penalty

Penalty of a Fine, to compel the Biſhops of their reſpective Cities to ſubſcribe. In fine, all Places and Cities were filled with Terrors and Tumults; for Violence was offered to the Biſhops, and the Judges ſaw the Mournings and Sighs of the People. And at length, after a tragical Account of the various Cruelties and Perſecutions of the *Arians*, he adds: *That they would not ſuffer the Friends of thoſe they had ſlain, to bury their dead Bodies, but hid them in private Places, that hereby they might conceal their Murthers.* There are other Paſſages to the ſame Purpoſe in the ſame Epiſtle. P. 859.

In his firſt Apology alſo for his Flight, he ſpeaks to the ſame Purpoſe, and among other Things relates, that *Sebaſtianus*, Captain of the Forces, at the Inſtigation of *George* the Biſhop, *ordered Virgins to be brought to a flaming Pile, and violently compelled them by Fire to declare their Profeſſion of the* Arian *Faith; and when he perceived their Courage was not to be thus ſubdued, he ſtripped their Bodies naked, and ſo mangled their Faces with Blows, that it was a long while before their own Relations knew them again. He alſo apprehended forty Men, and miſerably tore their Bodies by a new Method of Cruelty; for he made Rods of the Palm Tree, retaining their Prickles, and with theſe beat them on their Backs, in ſuch a barbarous manner, that ſome, by Reaſon of the Prickles ſticking in their Fleſh, were forced ſeveral Times to apply to the Phyſicians for a Cure; whilſt others actually dy'd under the Torture. As for the others, as many as they apprehended, they baniſhed them, with the Virgins, into* Great Hoaſis, *a Country in* Egypt. P. 704.

And that they might have ſome Pretext to palliate their Perſecutions, *Victor*, in his Account of the Perſecutions of the *Vandals*, tells us, that the very Laws made by the Catholicks againſt heretical Impiety, were now turned, and executed upon the Catholicks themſelves; ſo that what they once ſuffered from the Catholicks, they made the Catholicks to ſuffer in their Turn, now they had got the ſecular Power on their Side. *lib.* 2.

Lucius, an *Arian* Biſhop, beſides the Slaughters, Torments, Baniſhments, Hangings, Burnings, and other innumerable Cruelties he exerciſed on the Catholicks, laid waſte the Monaſteries and Caves of the Monks. Almoſt the ſame Things are related of *Severus*, Biſhop of *Antioch*. *Victor* in his firſt Book of the *Vandal* Perſecution, ſays, that being infected with the *Arian* Hereſy, they filled every Place with Fire and Slaughter, and burnt and demoliſhed the Churches, Temples, and Monaſteries; and tortured the Biſhops and Prieſts with various kinds of Cruelties, to force them to deliver up all the Gold and Silver they had of their own, or that belonged to their Churches; and if they gave them any, they put them to yet more exquiſite Tortures to force them to deliver up the whole, as imagining they had concealed a Part from them. They deprived the Catholicks up and down of their Churches, and commanded them to be ſhut up. The ſame *Victor* recounts the various Sorts of Cruelties wherewith the *Arians* perſecuted the Catholicks, *viz.* that in *Africa* they were, by the *Vandals*, firſt deprived of their Churches and Houſes, then driven without the City-Walls, without Creature, Weapon, or Clothes; and yet farther, by a publick Edict, it was commanded, *Brunus, l.* 2. *c.* 3. *c.* 6. §. 6. *c.* 28. §. 4, 5.

that no one ſhould entertain or feed them; and if any one out of Compaſſion did this, he was burnt, with his entire Family.

c. 8. §. 8. *Hunerick*, the *Arian* King of the *Vandals* in *Africa*, among other Cruelties he exerciſed on the Catholicks, threw an immenſe Multitude of them one upon another, like Heaps of Locuſts, into ſtrait and vile Places, where they had no Conveniency for eaſing Nature, but were forced to do it amongſt one another as they lay, ſo that the Stench and Terror exceeded all other kinds of Puniſhments. *Victor* relates theſe Things,, who himſelf was an Eye-witneſs to them.

l. 2. The ſame *Victor* relates other kinds of Cruelty practiſed by *Hunerick*; but it would be too tedious to recount them all. 'Tis enough to add, that ſome had their Tongues cut out, others their Hands, others their Feet chopt off; others their Eyes dug out, and others were miſerably ſlain through the Extremity of their Tortures. See alſo *Hiſt. Tripart*, *b.* 5. *c.* 32. and *b.* 4. *c.* 39.

Auſtin alſo, in his 50th Epiſtle to *Boniface*, and in his 68th Epiſtle, and in other Books which he wrote againſt the *Donatiſts*, recounts the various Cruelties of the *Donatiſts* and *Circumcellians*; ſo that the Chriſtians ſeemed only to be employed in mutual Butcherings of one another; and acted as though the whole Perfection of the Chriſtian Life conſiſted, not in the Holineſs of their Manners, but in a bitter and imprudent Zeal; ſo that *Ammianus Marcellinus*, an Heathen Writer, deſcribing thoſe Times, relates of *Julian* the Emperor, *b.* 22. *That he ordered the Chriſtian Biſhops and People that were at Variance with each other, to come into his Palace, and there admoniſhed them, that they ſhould every one profeſs his own Religion, without Hindrance or Fear, whilſt they did not diſturb the publick Peace by their Diviſions; which he did for this Reaſon, becauſe as he knew their Liberty would increaſe their Diviſions, he might now have nothing to fear from their being an united People; having found by Experience, that even Beaſts are not ſo cruel to Men, as the Generality of Chriſtians are to each other.*

The Eccleſiaſtical Doctors give very pathetick and odious Deſcriptions of the Perſecutions of the *Arians*. 'Tis abundantly plain from the Writings of the Orthodox, which now remain, that their Edicts were far from being vain and harmleſs Terrors. And if we now had the Writings of the *Arians*, we ſhould not probably find ſofter Things related by them of the Orthodox, than the Orthodox in their Writings relate of the *Arians*: But by reaſon of the ſevere Edicts againſt keeping their Books, their Works are entirely deſtroy'd; and we have now no Remains of the Hiſtory of thoſe Times but what we find in the Writings of the Orthodox. And though theſe were in ſome Reſpects great Men, yet their Actions and Writings abundantly teſtify, that they were far from being free from human Paſſions, Hatred, Anger, and the Study of Revenge; eſpecially when they had to do with their Adverſaries, and thoſe who differed from them in Matters of Religion. This hath been the Unhappineſs of all Times, that it is too generally true of Divines, what

Tom. 5. *p.* 65. *Eraſmus* with Grief declared of the Divines of his own, *That the Behaviour of ſome*

some of them is such, that they have brought a Reproach on this most holy Study it self, since those who have attained to the Height of this Profession, are sometimes more fierce than the Laity, more ambitious, easier provok'd, more virulent with their Tongues, and more unfit for all manner of Converse in Life, not only than unlearned Persons, but than they themselves would otherwise be; so that some have imagined that the very Study of Divinity hath made them such: or, as he elsewhere says, *that their Behaviour is such, that Divinity hath been looked on as a Sort of Study that deprives Men of Sincerity and common Sense.* Let us not imagine, that these Things are not equally true of the ancient, as well as of the modern Divines. He that but dips into the Acts of the ancient Councils, and Ecclesiastical Remains, will evidently see, that they had the same Passions with those of our own Time, were equally precipitant in condemning, bitter in reproaching, and violent in persecuting those they call'd Hereticks. *Socrates* writes of the Bishops of his own Time, *That their manner was, to load with Reproaches, and pronounce impious all they deposed, without declaring the Causes of their Impiety.* When they write against their Adversaries, their Stile is oftentimes bitter; an Impotency of Mind that many have observed in the principal and most celebrated Authors. *Erasmus*, tho' he highly commends *Jerome*, hath several Times observed the same in him. In his Apology to *Martin Dorpius*, he thus writes of him: *Even* Jerome, *a Man so grave and pious, could not always govern himself; he grows furiously hot against* Vigilantius, *immoderately insults* Jovinian, *and bitterly inveighs against* Ruffinus. In his Apology against *Sutor*, he goes farther, and says; *That tho' his Memory is now deservedly accounted sacred by all, yet whilst he lived, he reviled, and railed at, and deceived others; and was in his Turn reviled, and railed at, and deceived by others.* *Hutter* gives no better a Character of *Jerome*, writing against the *Irenicum* of *Paræus*, p. 14. *He that turns over the Writings of St.* Jerome *against* Jovinian, Vigilantius, *and* Ruffinus, *will be amaz'd to see in a Monk such a boiling and bitter Gall.* Upon which Account *Budæus* pleasantly writes to *Erasmus*: *Who knows, but that for this Reason he may be brought and scourged before the Tribunal of Christ?* I don't mention these Things to blacken the Reputation of *Jerome*, but to shew by the Example of this otherwise great Man, how difficult it is to govern ones self in theological Debates, when we see Men, famous for their Piety, thus carried away by the Heat of Disputes. The Moderation of *Austin* is generally commended: But he that reads his Writings against the *Donatists*, must acknowledge, that in the Warmth of Disputation he oftentimes exceeds the Bounds of Moderation, and lays to their Charge every thing that came uppermost. *Athanasius*'s Epistle to the Monks is Proof enough of his ungovernable and angry Temper, in which we find nothing but foul and reproachful Language against the *Arians*; a plain Proof of a violently disorder'd Mind. I question not but that he had weighty Reasons for his Anger and Hatred. But 'tis as certain, that when the Mind is disorder'd, tho' for the most just Cause, many Things are rashly thrown out, the Effect of Choler, and not agreeable to Truth: So that 'tis by no Means safe, hastily to credit, all that the angry

Hist. Eccl. b. 1. *c.* 24.

Tom. 9. *p.* 3, 4.

Tom. 3. *p.* 119.

Tom. 9. *p.* 640.

Erasmi, *Tom*, 3. *p.* 156.

gry Fathers have said of, or imputed to their Adversaries, especially as they have taken Care to suppress their Writings. *Cunæus* very solidly and gravely pronounces his Opinion of the *Greek* Fathers, *viz. The common People think, that he must be very criminal, who doth not believe, that Piety, the great Support of Christianity, is always attended with Candour. For my own part, as I esteem them on many Accounts to be excellent and divine Men, so I know that they have done ill designedly, and were of a very bitter Spirit. Not to mention others, the* Greek *Fathers, thro' a national Vice, were always too violent on both Sides. They had all of them a rolling Eloquence, admirable Learning, and a Genius fit for every thing; and on these Accounts one may discern a Sharpness and Eagerness breathing throughout all the Remains they have transmitted to Posterity. As for those they were angry with, tho' great Men in themselves, and worthy the highest Commendation, they blacken'd them as the vilest Persons; and on the other hand, they were so lavish of their Praises on those they approved, that, tho' they had little to deserve it, Posterity admires their Virtues, and even adores a Stone of their Sepulchre as a God.* Not much different from this, is that Passage of *Melchior Canus*, in his *Common Places of Divinity: I cannot excuse* Sozomen'*s Lyes: For he was a* Greek, *which Nation is and ever was addicted to lying.* And he was so fully convinced, that the most shameful Lyes had crept into the Histories of his own Church, that he breaks out into this Complaint: *I speak it rather with Grief, than as a Matter of Reproach, that* Laertius *hath written the Lives of the Philosophers with greater Regard to Truth, than Christians have the Lives of their Saints; and that* Suetonius'*s Account of the* Cæsars *is written with greater Incorruptness and Integrity, than the Account which the Catholicks have given, I will not say of their Emperors, but of their Martyrs, Virgins, and Confessors. The two former have not concealed the real or suspected Vices of their best Philosophers or Princes, nor the Appearances of Virtue in the worst; whereas ours, for the most part, either are governed by their Passions, or industriously forge so many idle Stories, that I am not only ashamed but tired of them. Such as these are so far from being useful to the Church of Christ, that they greatly disserve its Interest. I forbear their Names, because here I blame their Morals, and not their Learning, as to which the Censure might be more free. As to Behaviour, one ought to be more cautious towards the Living, and more respectful towards the Dead: But this is certain, that whoever mix Fable and Falshood with Ecclesiastical History, can't be good and upright Men, and their whole Account can be invented for no other Purpose, but to increase their Gains, or to establish Error; of which the first is vile, the other pernicious.* And a little after, describing the Office of a good Historian, he says: *That he ought not to dare to say any thing false, or omit any thing true, that he may'nt be suspected to write either out of Favour or Hatred.* He adds: *Since these Things are necessary Marks of Honesty and Integrity, 'tis strange that* Suetonius *should have observed them all, and almost all ours have entirely omitted them.* 'Tis no difficult Matter to conjecture what their Candour and Fidelity is, in relating the Actions of their Adversaries, and those whom they have condemned for Hereticks, who have been so immoderate and false in their Commen-

Præfat. in Juliani Cæsares.

l. 11. *p.* 663

p. 650.

p. 654.

Commendations of their Saints. *Canus* himself confesses, that most uf their Writers have been destitute of every Qualification of a good Historian. *Bellarmine*, in his *Marks of the Church*, says: *The Catholicks are no where found to have praised or approved either the Doctrine or Life of any Heathens or Hereticks.* So that it was a sufficient Reason to write the worst Things of any Man, or to conceal and condemn to eternal Oblivion the best and most laudable Actions, if he had been pronounced an Heretick by the Church; and the Papists now think it Reason enough to give no Credit to any Person, if he doth not condemn, or if he praises the Actions of those who have been declared Hereticks by the Church of *Rome*, and hath in any manner opposed her. On this Principle, *Melchior Canus* gives his Reasons, why all the Faithful of Christ ought to explode the History of *Cario*. *For*, says he, *in his Writings, he villifies and cruelly uses some of the Popes, who were the best of Men, and commends and extols some of the* German *Emperors, who were Rebels and Enemies to the Church of* Rome. *So that you may know the Lion by his Paw,* i. e. *a* Lutheran *by those he praises or condemns.* If this Inference of *Canus* were true, 'tis necessary, that he who would be owned for a Catholick, must load all the Enemies of the Church of *Rome* with Infamy and Disgrace, and never blame the Catholicks, but praise and commend every thing they do. But if we read the Writings and Histories of the modern Papists, we shall find them filled with so many Stories and evident Lyes, to which the publick Acts and Documents bear Witness, that one can scarce find the smallest Footsteps of Truth in them, and may justly affirm, that they wrote entirely for Gain, or the Establishment of Error. And if their Power should rise again to the same Height as it was in former Ages, so that they should be able wholly to destroy the Writings and Monuments of those who differ from them, and Persons were to learn from their Writings only the Doctrines and Actions of the Reform'd and Protestant, who doth not see what wretched Accounts they would transmit to Posterity, even lighter than Vanity it self; which however could scarce be convicted of Falshood by proper Testimonies, after they had thus destroyed the contrary Documents? And therefore, as 'tis not safe to form a Judgment of the Principles and Behaviour of the Reform'd and Protestant from Popish Writings only, so we ought to be very cautious and backward of pronouncing concerning the Doctrines and Actions of those who were condemned for Hereticks, from the Writings and Histories of the Ancients, because their Writings have been so entirely suppress'd by the Industry and Care of their Adversaries, that there is scarce one genuine Book of theirs remaining, wherein they have described or defended their Doctrine or Manner of Proceeding. But 'tis Time to return from this Digression.

cap. 16.

p. 662.

We have shewn with what Bitterness the Orthodox have persecuted the *Arians* and *Donatists*; nor did the *Arians* exercise less Cruelty against the Orthodox, when they had an Emperor who favour'd their Party. But it must be confess'd this Cruelty was not always equal: For although the

Arians

Arians are not to be excus'd in their barbarous Treatment of the Orthodox; yet we read that sometimes it was greatly abated. *Socrates* in his Ecclesiastical History, *l.* 4. *c.* 32. relates of *Valens* the Emperor, *That he violently oppos'd those who professed the Doctrine of Consubstantiality, threatning them every Day with severer Punishments; till* Themistius *the Philosopher partly mitigated his Rage, by an Oration, called* προσφωνητικὸς, *in which he admonishes the Emperor, that he should not so greatly wonder that there was such a Diversity of Opinions amongst Christians; for that it was but small if compared with the Number of the different Opinions amongst the* Greeks, *which were more than three hundred. This Variety of Opinions must necessarily cause Divisions; but that God was pleased with this Diversity of Sentiments, that all might learn the more to reverence his Majesty from the Difficulty of understanding him. When the Philosopher had represented these and other Things of like Nature to him, the Emperor grew afterwards more mild, though he did not entirely lay aside his Fury, punishing the Priests with Banishment instead of Death.* But afterwards, as the same *Socrates* relates, *c.* 35. being pressed with the *Gothick* War, he left off banishing the *Homousians*. Farther, there were some amongst them who abstained from all Violence in Matters of Religion, and were willing to allow the free Exercise of it to those who differed from them. *Grotius* gives them this Testimony: *Nor is this a little to their Praise, that the* Vandals, *about the Times of* Hunnerick *and* Gundemond, *and the* Goths, *always abstained from offering Violence to the Consciences of those subject to them, and permitted the Followers of the* Nicene *Faith to believe and teach, and perform divine Worship as they pleased. The Ambassadors of the* Goths *said to* Belisarius, *that they never forced any one with Threatnings to change his Profession; nor hinder'd the* Goths *themselves from believing the* Nicene *Faith; adding, that the* Goths *did not shew less Reverence towards the sacred Places than the* Romans *themselves.* And a little after, *p.* 32. Theuderick, *King of the* Ostrogoths *and* Italy, *is highly extolled by* Eunodius, *the Catholick Bishop of* Ticinum, *for his Piety and Worship of the true God. Such was his Regard even to the Religion he did not profess, that he always made the best Men Bishops.* Concerning which, his Nephew *Athalarick* thus writes: "'Twas but "just to obey the Will of so good a Prince, who in a Religion he did not be-"lieve, acted with so wise Deliberation, as to choose such a Bishop, as made "it appear that this was his governing Desire, to see the Religion of all Chur-"ches flourish under good Priests." *Hence it came to pass, that he called a Synod to put an End to a Schism that had arose, as* Paulus Warnefredi, *and* Zonaras *declare: He annulled all Simoniacal Ordinations, and desired the Catholick Bishops to pray in his Behalf for the divine Assistance; as may be seen in* Cassiodorus: *So that I do not wonder that* Silverius, *Catholick Bishop of* Rome, *was suspected by the* Greeks, *of favouring the Empire of the* Goths *rather than the* Greeks. Procopius *furnishes us with this noble Instance of the Equity of the* Goths *in Religion.*

Proleg. ad Procop. Goth. & Vandalic. *p.* 31.

In like Manner the Orthodox Emperors did not always make Use of that Severity which their Laws threaten'd against Hereticks, it being sometimes their Intention only to terrify with the Fear of Punishments, and not to inflict the

the Punishments themselves. *Sozomen* relates, that "*Theodosius* commanded *Ec. Hist. l. 7. c. 12.* "by a Law, that Hereticks should not assemble together, nor teach their "Opinions, nor ordain Bishops or others. That some of them should be "driven from their Cities and Lands; others declar'd infamous, and denied "the Privileges of the City which other Citizens enjoy'd; and that he or- "dained other grievous Penalties by his Laws, which he never executed: "For he endeavour'd not to punish, but only terrify his Subjects, and thus "to bring them into his own Sentiments of the Deity; for he commended "those who were willingly converted." The same Writer relates of *Valentinian*, who enjoy'd the Empire with his Brother *Valens*. "They were *l. 6. c. 6.* "both Christians by Religion; but differ'd in their Opinions and Manners. "For *Valens*, when baptiz'd by *Eudoxius* the Bishop, furiously followed the "Doctrine of *Arius*, and was angry that he could not force all into his Senti- "ments. But *Valentinian* embraced the *Nicene* Faith, and favour'd those who "were of his Mind; but never injur'd any who were of a different Opini- "on." *Socrates* also, and *Sozomen* relate of *Gratian*, who govern'd the Empire *Hist. Ec. l. 5. c. 2. l. 7. c. 1.* with *Valentinian* the Younger, that he ordain'd by Law, *That all Persons of every Religion, without Exception, should meet in their Churches; and that the* Eunomians, Photinians, *and* Manichees *only should be expelled from them.* *Socrates*, after having recounted the various Sects of Hereticks, adds, *That the l. 5. c. 20.* *Emperor* Theodosius *persecuted none of them except* Eunomius, *whom for gathering Assemblies, and reading over the Books he had written in private Houses at* Constantinople, *he sent into Banishment, because he corrupted many with his Doctrine: As to the rest he offer'd them no Injuries, nor forced them to communicate with himself; but permitted all to meet in their Conventicles, and to think as they pleased of the Christian Faith. Some of them he suffer'd to build themselves Oratories without the Cities, but the* Novatians *to have their Churches within them, without fear; because they held the same Sentiments, in Matters of Faith, with himself.* And he relates of *Atticus*, Bishop of *Constantinople*, *That he did not only preserve his own l. 7. c. 2.* *People in the Faith, but even surpriz'd the very Hereticks by his wonderful Prudence; that he had no Inclination to persecute them, and that having once attempted to terrify them, he always after shew'd himself more mild and gentle towards them.*

CHAP. V.

The Opinion of some of the FATHERS *concerning the Persecution of* DISSENTERS.

WHAT the Opinion of those ancient Doctors of the Church, whom we call Fathers, was, we may learn from their Writings. *Athanasius*, in his Epistle to the Hermits, speaks in this Manner of the *Arians*, and thus paints out their Persecutions against the Orthodox: *That* Jewish *He- p. 827.*

resy

resy hath not only learnt to deny Christ, but also to delight in Slaughters. ***But even*** *this was not sufficient to satisfy them. For as the Father of their Heresy goes about as a roaring Lion, seeking whom to devour; so these having Liberty to go up and down, run about, and whomsoever they happen to meet with, who either blame their Flight, or abhor their Heresy, inhumanly tare them with Scourges, or bind them with*
p. 830. *Chains, or banish them from their native Country.* And a little after: *If it be a mean and dishonest Thing, that some Bishops have chang'd their Opinion through Fear, how much more heinous and vile is their Wickedness, who, as is the Case generally of those who mistrust the Goodness of their Cause, have forced others against their Will to renounce their Belief? Thus also the Devil, because he hath no Truth in him, invades Men with the Hatchet and Ax; and thus violently breaks open the Doors of those that receive him. The Saviour, on the contrary, is gentle; his Language is,* If any one will, let him follow me, and become my Disciple. *When he comes to any one, he doth not make use of Force, but knocks at the Door, and says,* Open to me, my Sister, my Spouse. *If they open he enters; if they refuse it he departs: For Truth is not to be preach'd by Swords, or Darts, or military Weapons; but by Perswasion and Advice. But what room is there for the Liberty of Perswasion, where Men are awed by the imperial Authority? And what signifies Reasoning, when whoever opposes is sure to be rewarded with Banishment or Death?* And after a great deal more, he thus inveighs against the bloody
p. 852. *Arians: All their Endeavours abound with Slaughter and Impiety; and such is the accursed Craftiness of their Temper and Behaviour, that they abuse and deceive Men by the Promises of Honours, and Majestracies, and Money, that so when they cannot obtain the Constitution of their Bishoprick by lawful Means, they may give the more simple some Appearance of a right Institution. So that the very Name of* Heathen *is too good for them; so far are they from meriting the Name of* Christians, *and their Actions so unlike those of Men, that they are perfectly savage and brutal. For such is their Cruelty and Barbarity, that they are more bloody than the very Executioners, and more vile than any other Hereticks, and greatly excelled, even by the* Heathens *themselves: For I have heard from the Fathers, and I believe it true, that in the Persecution under* Maximianus, *the Grandfather of* Constantius, *the* Heathens *conceal'd our Christian Brethren when they were sought after, and were themselves oftentimes fin'd and imprison'd for no other Reason, but because they would not betray those that fled to them, thinking themselves bound to protect them with the same Fidelity as they would have expected themselves; not in the least afraid to expose themselves to Danger on that Account. But now these wonderful Inventors of a new Heresy, famous for nothing so much as their Treachery, act quite the Reverse; for they seek out those that conceal themselves, and lay Snares for those that harbour them; and become of their own Accord, very Executioners; accounting the Concealed and the Concealor equally their Enemy: So that they are naturally bloody, and Murtherers, and Rivals of the Wickedness of* Judas. *'Tis indeed impossible that any Words can sufficiently describe their Actions.* What would not this Doctor have said, had he seen the cruel Laws of the Inquisition brought into Use, by which 'tis not only a Crime to conceal an Heretick, but all who do not inform against him are anathematiz'd as Favourers and Defenders of Here-

Hereticks, and Hinderers of the Office of the Inquisition, and condemned to other Punishments, according to the arbitrary Will of the Inquisitors. He would unquestionably have complained that he wanted Words to describe such an execrable Cruelty. For if what the *Arians* did was beyond Description, how much less can any Words give a just Representation of the Barbarity of the Inquisitors, which is as much superior to the Cruelty of the *Arians*, as theirs was, according to *Athanasius*, to that of the Heathens. But *Athanasius* goes on: *Oh their new Heresy! Such are its Wickednesses and Impieties, that let the Devil be ever so bad, this will appear to be the Devil all over. Such a monstrous Evil never rose up before; for those who had any heretical Opinions, used to keep their Thoughts and Sentiments to themselves. But now* Eusebius *and* Arius, *like Serpents crawling out of their Dens, vomit openly the Poison of their impious Sect; this taking the Liberty publickly to blaspheme, and the other as publickly to defend his Blasphemy: But this he could not defend till he had found an Emperor to support his Blasphemy. On the other hand, the Fathers in a general Council, of about* 300 *Bishops, condemn'd the* Arian *Heresy, and shew'd that 'twas contrary to the Faith of the Church: But the Defenders of the Sect, seeing themselves despis'd, and being able to alledge nothing agreeable to Reason, have invented a new Way, and attempted to support themselves by the secular Power; in which one cannot help being amaz'd at their Insolence and Wickedness; and how much it exceeds all other Heresies. For the Madness of other Heresies consists in perswasive Words, in order to deceive the Simple: And as for the Heathens, the Apostle tells us, they deceive Men by their Eloquence and Oratory, and subtle Speeches; and the* Jews, *forgetting the Scriptures, contend about Fables and endless Genealogies: The* Manicheans *also, and* Valentinians, *and the other Hereticks, endeavour to support their Trifles by adulterating and corrupting the sacred Scriptures. But the* Arians, *more perverse than all the rest, plainly declare all the other kindred Heresies to be inferior to theirs, since they allow themselves in much more impious Practices, and endeavour to rival all others, but especially the* Jews *in their Wickedness and Villainies; for as they immediately brought* Paul *before the Governors Tribunal, whom they could not convict of the Crimes objected to him; so these, every Day devising fresh Tricks, use no other Arguments but the Power of the Judges; and if any one but once contradicts them, he is immediately dragged before the Governor and Captain: And farther, other Heresies being overcome by the Demonstration of the Truth, shut their Mouths in Silence, and have nothing to do but to blush upon Conviction. But this new and execrable Heresy when overcome with Reason, and put to shame by the Power of Truth, endeavours to bring Men over to its Interest by Violence, Stripes and Jails, when Words prove ineffectual to perswade them; and even by this shews it self to be an Enemy to true Piety and the Worship of God: For 'tis the Property of true Religion, not to force but perswade. Thus our Lord, far from forcing Men, left them to the Liberty of their own Will, commonly thus speaking to all:* If any one will come after me; *and to his Disciples:* And will you go away also? *But what is more suitable to the Nature of such an Heresy as this, which is quite repugnant to true Religion, and in Rebellion to Christ, avows* Constantius *as the Author of its Impiety, hereby making him,*

him, as it were, an Antichrist; what more agreeable to its Nature than to act in Defiance to the Saviour?

In his first Apology for his Flight, he speaks to the same Purpose. And in the first Place to prevent the *Arians* imputing these Persecutions to the
p. 702. Judges, and so pronouncing themselves innocent, he says: *What the Judges seem to do, they are the true Authors of; or rather, they make themselves the Tools to execute the Sentence and Malice of the Judges.* And afterwards he shews from
p. 716. whom they learn'd these Persecutions. *Pray let them tell me, since whatever is said to them, they pretend is unworthy their Regard, whence they have learn'd the Doctrine of Persecution? Surely they had it not from the Saints; it therefore follows, that they must have received it from the Devil, whose Language is,* I will pursue and overtake. *It is the Command of God, and agreeable to the Practice of the Saints, that we should fly; but to persecute is the Invention of the Devil, who being an Enemy to all, is desirous of exciting every where Persecution.* In this and the like Manner, *Athanasius*, whilst persecuted by the *Arians*, largely and pathetically argues, condemning Persecution of every Sort upon the Score of Religion, and freely pronouncing it the Invention of the Devil. And yet we do not find that this same *Athanasius* made the least Intercession with the Emperor *Constantine*, when the *Nicene* Synod was ended, to prevent the Banishment of *Arius* and his Followers; no, nor one single Word to shew that he even disapprov'd of *Arius*'s Banishment; through a too common Weakness of Mind, whereby Men are apt to think, that the same Thing done to them by others would be most unjust, that would not be unjust in them to do to others.

Hilarius against *Auxentius* the *Arian*, shews, with equal Eloquence, his Detestation of Cruelty towards Men differing in their religious Sentiments. *And first I cannot help pitying the Misfortune of our Age, and lamenting the absurd Opinions of the present Times; according to which, human Arts must support the Cause of God, and the Church of Christ be defended by Methods of secular Ambition. I beseech you, O ye Bishops, who believe your selves to be such, what Helps did the Apostles make Use of in propagating the Gospel? What Powers assisted them in preaching Christ, and converting all Nations from Idols to God? Had they any of the Nobles from the Palaces joined with them, when they sung Hymns to God in Prison and in Chains, and after they had been cruelly scourged? Did* Paul *gather the Church of Christ by Virtue of the Royal Edict, when he himself was made a Spectacle in the publick Theatre? Was the Preaching of the Divine Truth protected by* Nero, Vespasian *or* Decius, *which flourished by Means of their very Hatred towards us? Had they not the Keys of the Kingdom of Heaven? Surely they had, though they maintained themselves by their own Hands and Labours, met together in Garrets and secret Places, and travelled by Sea and Land over almost all the Nations, Towns and Cities of the Earth, in Opposition to the Edicts both of Senate and Kings? Did not Mens Hatred of the Gospel manifest the Divine Power, in that the more Christ was forbidden to be preach'd, he was still the more preach'd in the World? But now (O wretched Case!) earthly Suffrages are to recommend the Divine Faith; and Christ is declared to be destitute of Power, since Ambition is become the Means of reconciling Men to his Name.*

Name. The Church now terrifies Men by Banishments and Jails, which was at first believed in by Means of Banishments and Jails: She now relies on the Dignity of her Communicants, though at first consecrated by the Terror of her Persecutors: She now puts her Priests to flight; though she was at first propagated by the Flight of her Priests. She now glories that she is beloved of the World; though she could not belong to Christ, unless the World hated her. And in his first Book to *Constantine*, to the same Purpose. *God rather chose to teach Men the Knowledge of himself than forcibly demand it; and by gaining Authority to his own Precepts, by wonderful heavenly Works, shew'd that he disdained a Mind compelled even to the Acknowledgment of himself. If such a Method as this was made Use of to propagate the true Faith, the Episcopal Doctrine should agree with it, and say, He is the God of the whole World, and needs not a constrained Obedience. He doth not require a forced Confession: He is not to be deceived, but engaged: He is to be worshiped, not for his own sake, but ours. I can accept him only that is willing; hear him only that prays, and heal him only that freely confesses him. He is to be sought with Simplicity of Mind, to be learn'd by humble Confession, to be loved with true Affection, to be reverenc'd with Fear, and his Favour to be secured by an honest Mind. But what strange Thing is this, that the Priests are forced by Chains and severe Penalties to fear God? The Priests are kept in Prison; the People are bound in Chains; Virgins are stripp'd naked, and their Bodies, consecrated to God, exposed by Way of Punishment to publick View, made an open Spectacle, and fitted for the Torture.*

Ambrose also taught the same Doctrine. *The Apostles are not commanded to take Rods in their Hands, as* Matthew *writes. What is a Rod but an Ensign of Power, and an Instrument of Vengeance to inflict Pain? And therefore the Disciples of an humble Master, I say of an humble Master,* for in his Humility his Judgment was taken from him, *can only perform the Duty he hath enjoyned them by Offices of Humility: For he sent Persons forth to sow the Faith, who should not force Men but teach them; nor exercise Power, but exalt the Doctrine of Humility.* And a little after he adds: *When the Apostles would have had Fire from Heaven, to consume the* Samaritans, *who would not receive our Lord Jesus into their City; he turned about and rebuked them, saying,* Ye know not what Spirit ye are of; for the Son of Man is not come to destroy Mens Lives, but to save them. Comment. in Luc. l. 7. in c. 10.

Gregory Narianzen evidently shews himself to be of the same Sentiment, although he hath not handled this Argument professedly: For having observed that Men were not easily and at once, but slowly and gradually, brought off from Idolatry to the Law, and from the Law to the Gospel; and having consider'd the Reason of it, he thus speaks: *And why is it thus? Because we are to know, that Men are not to be driven by Force, but to be drawn by Perswasion. For that which is forced is not lasting; this even the Waves teach us, when they are repelled by Violence; and the very Plants when bent contrary to their Nature. That which is voluntary is both more lasting and safe. This is agreeable to the Divine Equity; the other an Instance of Tyranny. So that he did not think it just even to do good to Men against their Will, or without their Con-*

sent. And in the Poem of his own Life, he speaks to the same Purpose:

Perswasion's much more just than Violence;
Fitter for us, and those whom we attempt
To reconcile unto the Being Supream:
What by Compulsion's done can never last.
Like as the bending Bow, and Stream repell'd,
The Force remov'd, by their own Power return
To native Form and Place, scorning Restraint.
That's only durable which is th' Effect
Of free Consent and Choice. Love leads the Way,
And steady keeps, by kind, yet powerful Influence.

Optatus Milevitanus writing against *Parmenianus*, the *Donatist*, vindicates the Church from the Charge of persecuting Dissenters from it. For when *Parmenianus* objected to the Catholicks: *That cannot be called the Church, which feeds on cruel Dainties, and grows fat with the Flesh and Blood of the Saints:* Optatus thus answers him, *l.* 2. *The Church hath its proper Members; the Bishops, Presbyters, Deacons, Ministers, and the Body of the Faithful. To which of these different Orders in the Church can you impute what you object? Point out, if you can, by Name, any Minister or Deacon, or instance in any one Presbyter that hath been concerned in it, or any Bishops who have approved it. What one amongst us hath endeavoured to ensnare, or hath persecuted any Person? Declare, if you can, and prove one single Instance of Persecution by us.* In this Passage he plainly acknowledges, that the Church ought not to feed on cruel Dainties, and denies that the *Donatists* can, with Truth, object this to his own Church; though indeed, 'tis scarce to be believed, when one considers the Edicts of the Emperors against the *Donatists*, and other Hereticks. But he goes on, and largely shews, that the *Donatists* themselves had fed on these cruel Dainties, and feasted on Christian Blood; and at length concludes: *See, your own Party have made good what you your self have confessed, that that cannot be the Church which feeds on cruel Dainties. Missionary Dragoons, and ordained Bishops are vastly different. What you have falsely laid to our Charge, hath been done by others, not by us; and what you have owned to be unlawful to do, you your selves have acted.*

What was *Chrysostom*'s Sentiment in this Affair, he himself sufficiently declares in his Sermon about Excommunication, where he thus inveighs against those, who pronounced others accursed: *I see Men, who understand not the genuine Sense, nor indeed any thing of the sacred Writings, who, to pass by other Things, I am not ashamed to own, are Furious, Triflers, Quarrelsome, who know not what they say, nor whereof they affirm; bold and peremptory in this one Thing, ever determining Articles of Faith, and declaring accursed, Things they understand not: Upon this Account we are become the Scorn of the Enemies of our Faith, who look upon us as Persons that have no Regard for Virtue, and never learnt to do good. How*

am I afflicted and grieved for these Things? And afterwards, citing that Place of St. *Paul*, 2 Tim. ii. 24, 25, 26. *The Servant of the Lord must not strive, but be gentle*, &c. he goes on: *Entice him with the Bait of Compassion, and thus endeavour to draw him out from Destruction, that being thus delivered from the Infection of his former Error, he may live, and thou may'st deliver thy Soul. But if he obstinately refuses to hear, witness against him, lest thou become guilty; only let it be with Long-suffering and Gentleness, lest the Judge require his Soul at thy Hand. Let him not be hated, shunn'd, or persecuted, but exercise towards him a sincere and fervent Charity.* And at length he thus concludes: *Impious and heretical Principles are to be opposed and anathematized; but Men themselves are to be spared, and we must pray for their Salvation.* If this was his Opinion as to those who anathematised others only upon the Account of Heresy, how zealous would he have been against such, who, not content to pronounce Hereticks accursed, deliver them over to the secular Arm to be most cruelly punished?

He farther declares his Opinion, in his eighth Homily on the first of *Genesis*: *Hereticks may be compared to Persons in a Disease, and that are almost deprived of their Sight; for as the one cannot bear the Light of the Sun thro' the Weakness of their Eyes, and the other thro' Illness nauseate the most wholsome Food; so they being distemper'd in their Minds, and darkned in their Understanding, cannot endure to behold the Light of Truth. We ought therefore, in Discharge of our Duty, to hold out the helping Hand, and speak to them with great Meekness. For thus St.* Paul *hath advised, saying, That our Adversaries are to be instructed with Gentleness, if peradventure God may give them Repentance, to the Acknowledgment of the Truth, and that they may escape out of the Snare of the Devil, having been taken captive by him at his Will —— so that there is need of a double Measure of Gentleness and Forbearance, to deliver and bring them out of the Snares of the Devil.* But in his 47th Homily upon *Matt.* xiii. explaining the Parable of the Tares, he doth not condemn all Sorts of external Violence against Hereticks: *Wilt thou therefore that we go and gather them up? But the Lord forbad it, lest also ye pluck up the Wheat with the Tares; which he said to prevent Wars, and Effusion of Blood, and Slaughter. For if Hereticks were to be killed, a bloody and eternal War would spread it self thro' the World. And therefore he forbids it on a double Account; the one, that the Wheat might not be burnt; the other, that unless they were healed, they could not escape the severest Punishment. Therefore, if you would punish them, and not hurt the Corn, you must wait for the proper Time and Season. What then doth he mean when he says, lest also ye pluck up the Wheat? Undoubtedly this, that if you take up Arms, you must necessarily destroy many of the Saints with the Hereticks; or that even some of these may be changed into the true Wheat: If therefore you too hastily pluck them up, you will destroy all that good Wheat, which might have been produced out of the very Tares. But he doth not forbid us to confine, or shut the Mouths of Hereticks, or to hinder their Liberty of Speech, or synodical Assemblies, or prevent their Union, but only to murder and destroy them.*

St. *Jerome* is of the same Mind, who in his 62d Letter to *Theophilus* against *John* of *Jerusalem*, thus speaks: *The Church of Christ was founded on the bloody Sufferings*

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and Patience of its first Professors, and not on their abusing and injuring others: It grew by Persecutions, and triumphed by Martyrdoms. For tho' he shews himself very severe against Hereticks, yet he was not for punishing them with Death, but treating them with Gentleness. Thus in his Comment on *Hosea* ii. 1. *You that believe in Christ, whether* Jews *or* Gentiles, *say ye to the Branches that are broken off, and the People that is cast out, My People, for he is thy Brother; and my Sister, for she hath obtained Mercy. When the Fulness of the* Gentiles *shall come in, then shall all* Israel *be saved. This is commanded us, that we should not wholly despair of Hereticks, but provoke them to Repentance, and with a brotherly Affection wish their Salvation.* And explaining the Parable of the Tares, *Matt.* xiii. he says: *Wherefore he who governs the Church ought not to sleep, lest thro' his Negligence the Enemy should sow the Tares,* i. e. *heretical Opinions. But whereas 'tis said, lest gathering the Tares, ye pluck up also the Corn, 'tis to shew us, that there is a Place for Repentance, and that we ought not hastily to cut off our Brother, because it may happen, that he who To-day is infected with heretical Pravity, may repent To-morrow, and become a Defender of the Truth.* And in his Commentary on the Epistle to the *Galatians*, ch. v. 9. *A little Leaven leavens the whole Lump*, among other Things he hath this: *A Spark is to be extinguished as soon as it appears, and the Leaven not to be suffer'd to approach the Lump: Corrupted Flesh is to be cut off, and scaby Sheep to be driven from the Sheepfold, lest the whole House, Lump, Body and Flock, should be burn'd, leavened, corrupted, and perish.* Arius *at first was but as a single Spark, which, because it was not immediately extinguished, set on Fire and ravaged the whole World.*

CHAP. VI.

St. AUGUSTINE's *Opinion concerning the Persecution of* HERETICKS.

AUgustine, in his former Writings, condemned all Violence upon the Account of Religion; for, writing against the fundamental Epistle of *Manichæus*, he begins with this Address to the *Manichæans*: *The Servant of the Lord ought not to strive,* &c. *It is therefore our Business willingly to act this Part. God gives that which is good to those who willingly ask it of him. They only rage against you, who know nothing of the Labour that is necessary to find out Truth, or the Difficulty of avoiding Errors. 'Tis they who rage against you, who know not how uncommon and difficult it is to overcome carnal Imaginations by the Calmness of a pious Mind. 'Tis they who rage against you, who are ignorant how hard it is to heal the Eye of the inward Man, so that it can behold its Sun; not that Sun whose celestial Body you worship, and which irradiates the fleshly Eyes of Men and Beasts, but that of which the Prophet writes,* The Sun of Righteousness is risen on me; *and of which we read in the Evangelist,* He was that true Light which enlightens every Man that cometh into the World. *They rage against you, who know not that 'tis by many*

Sighs and Groans we must attain to a small Portion of the Knowledge of God. Lastly, they rage against you, who are not deceived with that Error, into which they see you are fallen. But as for my self, I, who after long and great Fluctuation, can at last perceive, what is that Sincerity which is free from all Mixture of vain Fable, cannot by any Means rage against you, whom I ought to bear with, as I was once borne with my self, and to treat you with the same Patience that my Friends exercised towards me, when I was a zealous and blind Espouser of your Error.

And again, in his Questions upon St. *Matthew's* Gospel, *chap.* 12. when the good Corn sprung up and brought forth Fruit, then appear'd the Tares also: *For when the spiritual Man begins to discern all Things, he begins to discern Errors. His Servants said to him,* Wilt thou that we go and gather the Tares? *Are we to suppose that those are the Servants, whom he calls a little after Reapers, which in the Exposition of the Parable he expresly saith to be Angels? But who will dare affirm, that the Angels knew not who sowed the Tares, and then first discerned them, when they perceived the Fruit come forth? We ought rather to interpret it of faithful Men here, signified by the Name of Servants, whom he also calls the good Seed. Nor is it any Wonder that the same Persons should be called the good Seed, and the Servants of the Master, since Christ says of himself, that he is* the Gate, and the Shepherd; *for the same Thing is represented under many different Similitudes for different Reasons; and the rather here, because when he speaks to the Servants, he doth not say,* When the Harvest comes, I will say to you, Gather first the Tares: But I will speak, *says he,* to the Reapers. *From whence we may infer, that the gathering the Tares to burn them is the Business of others, and that no Son of the Church should imagine that 'tis an Office belonging to him. When therefore any Person begins to be spiritual, he perceives the Errors of the Hereticks, and judges and discerns every thing that he reads or hears to differ from the Rule of Truth. But until he grows more perfect in these spiritual Things, and ripens into Fruit as the Seed did, he may be surprized how so many Falshoods of the Hereticks should exist under the Christian Name. Hence it was that the Servants said,* Didst thou not sow good Seed in this Field? Whence then the Tares? *When at last he comes to know, that this is owing to the Subtlety of the Devil, who, far from being awed by the Authority of so great a Name, covers his own Falshoods under it, he may have an Inclination to destroy such Men out of the World, according as he hath Opportunity. But whether he ought to do this, and whether it be the Duty of Men, he consults the Justice of God, whether he hath commanded or permits it? Hence the Servants said,* Wilt thou that we go and gather them? *To which the Truth it self answered: The Condition of Man in this Life is not such, that it can certainly be known, what that Man may afterwards prove, who is now seen to be in a manifest Error; or how his Error may contribute to the Increase of the Good. And therefore such are not to be destroyed, lest whilst we endeavour to kill the evil, we kill also the good, or such as possibly may hereafter prove so; and lest we hereby prejudice the good, to whom the other may be, tho' unwillingly, useful. But the most proper Time for this is, at the End of all Things, when there will be no farther Opportunity of amending the Life, or of advancing in the Truth, by the Occasion and Comparison of other Mens Errors. And even then this is to be done not by Men, but by the Angels. Hence*

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it was that the Master answers, No, lest gathering the Tares ye pull up also the Wheat. But in the Time of Harvest I will say to the Reapers, &c. *And thus he render'd them the most patient and calm.*

But afterwards, upon his sharp and long Disputes with the *Donatists*, tho' he was so far of the same Mind, as that he was not willing to punish them with Death, yet he so far altered his Opinion, as that he did not disapprove of, but was for actually inflicting all Punishments, which did not cut off the Hopes of Repentance, *i. e.* all manner, Death only excepted; that being terrified by them, they might be compelled to embrace the orthodox Faith; which he hath shewn in a few Words, in his second Book of *Retractations*, c. 5. *I have two Books entitled,* Against the *Donatists: In the first I declared, that I did not approve that schismatical Persons should be compelled to Communion by any secular Power. The Reason was, because I had not then experienced what great Mischief would arise from their Impunity, nor how much Good Discipline would conduce to their Conversion.* He argues the same more largely in his 48th Letter to *Vincentius*, on Account of the *Rogatian* Heresy: *My first Opinion was, that none was to be forced to the Unity of Christ; but that he was to be dealt with by Words, fought with by Argument, overcome by Reason, lest those who once were open Hereticks should become feigned Catholicks. But I changed my Opinion, not from the Contradiction of others, but from demonstrative Examples. My own City was first alledged, which tho' entirely in the Heresy of* Donatus, *was converted to the Catholick Unity by Fear of the Imperial Laws, and now so thoroughly detests their pernicious Animosity, that one would be apt to believe it had never been infected with it. Many other Cities were particularly named to me, so that from hence I understood the Meaning of what is written,* Give Opportunity to a wise Man, and he will be wiser. *For how many, to our certain Knowledge, were willing to become Catholicks, convinced by evident Truth; but yet deferred it through Fear of offending their Friends? How many were held in Subjection, not to Truth, in which you never had any Concern, but to Obstinacy of Habit, whereby was fulfilled in them that divine Passage,* An evil Servant will not grow better by Words; even though he understand, he will not obey. *How many imagined that the* Donatists *were the true Church, because Security had render'd them proud, slothful and negligent in their Enquiries after the Catholick Truth? How many were prevented, by the false Reports of Slanderers, from entring into the Church; who gave out that we placed I know not what upon the Altar of God? How many thought it indifferent to what Party a Christian belonged, and therefore continued* Donatists, *because they were born in that Sect, and no one forced them to forsake it, and return to the Catholick Faith? Now the Terror of those Laws, by the Publication of which Kings serve the Lord with Fear, was of such Advantage to all these, that they say, some of them: This was what we intended. Blessed be God, that hath given us the Occasion of doing it now, and prevented all farther Delays. Others say: This we knew to be true. But we were under an unaccountable Prepossession. Blessed be God, who hath broke our Bonds in sunder, and hath brought us to the Bond of Peace. Others say: We knew not that the Truth was here, neither were we willing to learn it. But Fear made us diligent in inquiring after it, being apprehensive, that we should lose our temporal*

 Enjoyments,

Enjoyment, without gaining any eternal Blessings. Blessed be God, who by Fear hath cured us of our Negligence, so that thro' Terror we have enquired after, what in a State of Security we should never have been careful to have known. Others say: We were afraid to enter thro' false Reports, which we could not know to be false unless we entered. Neither should we have entered, unless we had been forced. Blessed be God, who hath taken away our Fear by the Rod, and given us to understand how vain and lying the Reports are, which have been raised of his Church. Hence we believe all those Things to be false, which the Authors of this Heresy have raised, since their Followers have spread much greater Falshoods. Others say: We thought it signified nothing of whatever Party we were Christians. But blessed be God, who hath brought us from the Schism, and shewn us that 'tis agreeable to the one God, that he should be worshipped in Unity. Should I therefore oppose my self to my Colleagues in preventing Methods so gainful to the Lord, and thereby hinder the gathering into the Sheepfold of Peace, where there is one Flock and one Shepherd, the stray'd Sheep of Christ, who now wander in the Mountains and Hills, i. e. *in the Swellings of their Pride? Ought I to oppose such a Provision as this, for fear of your losing the Things you call your own, whilst if you were free from Fear, you would proscribe even Christ himself? Have you a Liberty of making Wills by the* Roman *Law, and ought you to destroy by infamous Charges the Will delivered by God to the Fathers, in which 'tis written,* In thy Seed shall all Nations be blessed? *Should you be allowed to make free Contracts in buying and selling, and yet dare to divide amongst your selves what the betrayed Saviour bought for us? Is it just that your Donations to others should be valid, and should not what God hath given to his Children be firm, whom he hath called from the rising of the Sun to the setting of it? Can it be unjust to banish you from the Land of your Body, when you endeavour to banish Christ from the Kingdom of his Blood, from Sea to Sea, and from the River to the utmost Bounds of the World? No: Let the Kings of the Earth serve Christ, even by making Laws for Christ.*

From these Words of *Austin*, it appears clearer than the Light, that he approved of the Punishment ordained by Civil Laws against the Erroneous, as that they ought not to make Wills, nor buy and sell, nor receive Legacies, but that they should be sent into Banishment. And to shew that he thought this Punishment just upon the *Donatists* and *Rogatians*, he adds: *The Terror of temporal Powers, when it opposes the Truth, is a glorious Trial to the Good and Resolute, but a dangerous Temptation to the Weak. But when it inculcates the Truth upon the Erroneous and Schismatical, to ingenuous Minds it is an useful Admonition, but to the Foolish it proves an unprofitable Affliction.* There is no Power but what is of God, and he that resisteth the Power, resisteth the Ordinance of God: For Princes are not a Terror to them that do well, but to those who do ill. Wilt thou not therefore fear the Power? Do well, and thou shalt have Praise from it. *For if the Power favouring the Truth corrects any one, he who is made better by it hath Praise from it: Or if, in Opposition to the Truth, it rages against any one, he who is crowned Conqueror hath Praise from it. But as for thee, thou dost not well that thou should'st not fear the Power.* And to make this appear, he largely refutes his Opinion, and then thinks he hath evinced the

Justice of the Persecution raised against them. And in the former Part of his Letter, he argues, that they ought to be compelled to return to the Church, not by Reason only, but by Terrors. *For,* says he, *if they should be terrified, and not taught, it would seem to be the Exercise of an unjust Power over them; and if they were taught, and not terrified, their old Habits would harden them, and they would move more slowly into the Way of Salvation.*

The like may be read in his 50th Epistle, to *Boniface*, a military Man of *Cæsar*'s Retinue: *A Person in a raging Phrenzy can't bear the Physician, nor a libertine Son his Father; the one because he is bound, the other because he is chastised; both because they are loved. But if they neglect them, and suffer them to perish, 'tis a false and cruel Mildness; for if the Horse and Mule, who have no Understanding, bite and strike at those who handle them to cure their Wounds, who yet, tho' they are oftentimes in Danger, and sometimes receive Mischief, don't leave them, till by medicinal Smart and Pains they have made them sound; how much less ought one Man to be given up by another, a Brother by his Brother, lest he perish eternally; when after Correction he might be brought to understand, how great a Benefit was conferred on him, even when he was complaining of suffering Persecution. Therefore, as the Apostle says,* Let us do good to all as we have Opportunity; *let those, that can, do it by Discourses of the Catholick Precepts, others by the Laws of Catholick Princes, that all may be called to Salvation, and recovered from Destruction, partly by those who obey divine Admonitions, and partly by those who obey the Imperial Commands. When the Emperors make bad Laws in Favour of Falshood against the Truth, true Believers are approved, and those who persevere are crowned with Victory. But when they ordain good Laws for the Truth, in Opposition to Error, the Unruly are terrified, and the Wise amended. He therefore who refuses to obey the Imperial Laws, when made against the Truth of God, acquires a great Reward: He who refuses to obey, when made for Support of divine Truth, exposes himself to most grievous Punishment. For in the Times of the Prophets all those Kings are blamed, who did not forbid and abolish every thing contrary to the divine Precepts, and those who did are highly commended. Even King* Nebuchadnezzar, *when he was a Servant of Idols, made an impious Law, that the Image should be worshipped. But those who did not obey his wicked Constitution, acted piously and faithfully. And yet the same King, changed by a divine Miracle, made a pious and commendable Law for the Truth; that whoever should blaspheme the true God of* Shadrack, Meshack, *and* Abednego, *should be destroy'd with his whole House. Those who despised this Law, and deservedly suffered the Penalty of it, might yet say, what these do, that they were righteous Persons, because persecuted by the King's Law; which they might say as well, if they were as mad as those who divide the Members of Christ, destroy the Sacraments of Christ, and yet glory in Persecution: Because they are forbidden to do these Things by the Imperial Laws made for the Unity of Christ, they vainly boast of their Innocence, and seek the Glory of Martyrdom from Men, which they cannot receive from the Lord.* After which he subjoins a long Discourse to prove, that all who suffer Persecution are not Martyrs, but such only who suffer for Righteousness; and that all Persecutors are not of the false Church. *For* Agar *suffered Persecution from* Sarah; *and yet she who persecuted was holy, and she who*

suffered Persecution unholy. And a little after: *If therefore we will acknowledge the Truth, that is an unjust Persecution, which the Wicked make on the Church of Christ, and that a just Persecution which the Churches of Christ make on the Wicked. So that the Church is blessed which suffers Persecution for Righteousness Sake, and they miserable who suffer Persecution for Unrighteousness. Besides, the Church persecutes, by Love; they, by Rage; she, that she may correct; they, in order to overthrow; she, that she may recal from Error; they, to force others into it. She persecutes and apprehends Enemies, to cure them of their Vanity, and that they may advance in the Truth; they return Evil for Good, and because we consult their eternal Salvation, endeavour to deprive us of our temporal Safety.* And afterwards: *'Tis an Instance of Mercy to them, because by these Imperial Laws, they are snatched, tho' against their Wills, from that Sect, where they have learnt their Errors from the Doctrines of Devils, that they may be healed by being accustomed to sound Doctrines and Manners in the Catholick Church. For many of those, whose pious Fervour of Faith and Charity in the Unity of Christ we now admire, give Thanks to God with great Gladness, that they are not now in the Error to think those evil Things good; which Thanks they would never have given willingly, unless they had been forced unwillingly to depart from that accursed Society.*

As to the Objection, that the Apostles never desired such Methods from the Kings of the Earth, he answers; That none of the Emperors then believed in Christ, and therefore could not serve him by making Laws for Godliness, against Impiety. *But afterwards, when that began to be fulfilled, which is written,* All the Kings of the Earth shall worship him, all Nations shall serve him, *what Person in his Wits could then thus address himself to Kings? It doth not concern you, who in your Dominions defends or opposes the Church of our Lord, who will be religious or impious. May it not as well be said, It is nothing to you, who in your Dominions is chast or lewd? For since God hath given to all Men Freedom of Will, why should Adulteries be punished by Law, and Sacrileges permitted? Is the Preservation of the Soul's Fidelity to God of less Importance than a Woman's to her Husband? Or because those Things which are done, not from any Contempt of Religion, but merely thro' Ignorance, are to be more gently animadverted on, are they therefore to be entirely neglected? Who doubts whether it be* N. B. *better to draw Men to the Worship of God by Argument, than to compel them with the Fear of Punishment or Pain? But doth it follow, that because those who are won by Reason are the best, that therefore others are to be wholly disregarded? We can produce many Instances to prove, of how great Advantage Compulsion by Fear and Pain hath been, they having been hereby render'd open to Instruction, or excited to the Practice of what they have been taught.* And afterwards: *To what Purpose do these Men cry out, Men are free either to believe, or not believe. To whom did Christ use Violence? Whom did he force? I produce the Apostle* Paul. *Let them own that Christ first forced, and afterwards taught him; first struck, and then comforted him. 'Tis wonderful to consider, how he, who, forced by bodily Punishment, first entered into the Gospel, laboured in it more abundantly than all they, who by the Word only were called to the Belief of it. By how much greater his Fear was that forced his Love, by so much the more perfect was his Love that cast out Fear. Why then should not the*

the Church, compel her lost Sons to return, since these lost Sons have compelled others to their Destruction? Especially as the holy Mother more kindly embraces those, who, having been not so much compelled as seduced, are made to return by terrible tho' wholsome Laws, into her Bosom, and rejoices over them much more than over those she hath never lost. What, doth it not belong to the Pastoral Care, to recover those Sheep, when found, to the Lord's Flock, by the Terror of Stripes, or even Pains, if they resist, which having not been violently snatched away, have wandered from the Flock, thro' soft and gentle Perswasion? And a few Lines afterwards: *Because they cannot shew that they are compelled to Evil, they argue, that they ought not to be compelled even to what is good. But we have shewn that* Paul *was compelled by Christ, so that the Church imitates its Lord in compelling those, first waiting before she compels any, that the Preaching of the Prophets might be fulfilled with respect to the Faith of Kings and Nations. For to this Purpose may be understood that of blessed* Paul, Having in a Readiness to revenge all Disobedience, when your Obedience is first fulfilled. *Hence also our Lord himself, first commands the Guests to be invited, and afterwards compelled to his great Supper. For when the Servants answered him,* Lord, it is done as thou commandedst; and yet there is Room, he said, Go out into the High-ways and Hedges, and compel them to come in. *Now in those who were first kindly brought in, is fulfilled the first Obedience; in those who are compelled the Disobedience is revenged. For what is this,* Compel them to come in; *when 'tis first said,* Bring in; *and the Answer was,* It is done as thou hast commanded, and yet there is Room? *If he would have it understood, of being compelled by the Terror of Miracles, those were done in greatest abundance, in Behalf of those who were first called, especially of those of whom 'tis said,* The *Jews* seek Signs. The like may be read in his 204th Epistle to *Donatus*, a *Donatist* Presbyter, in which he relates the various Cruelties of the *Donatists* and *Circumcellians*, and writes that many were reduced to the Unity of the Church, by the Laws made against them. After a long Account of this, he answers an Objection of the *Donatists*, that the Catholicks coveted and took away their Goods, and shews the Falshood of it. See also his 116th Epistle to the *Donatists*.

From hence we may see that *Austin* hath very fully taught, and endeavoured by many Arguments to prove, that Hereticks ought to be compelled to return to the Church by external Violence and the Fear of Punishments, tho' he was not willing that they should be put to Death. Wherefore he not only writes to *Dulcitius* the Tribune in his 60th Epistle: *Thou hast not received by any Laws the Power of the Sword over them, nor do any of the Imperial Constitutions, which thou art intrusted with the Execution of, command thee to put them to Death.* But in his 158th and 159th Epistle to *Marcellinus*, and in his 160th to *Apringius*, he largely intercedes to prevent their Death, and *that their Punishment might not reach so far.* And in his 127th Epistle to *Donatus*, Proconsul of *Africa*, he thus writes: *Since there are such terrible Judges and Laws, to prevent their incurring the Punishment of the eternal Judgment, we would have them corrected, not destroyed: We would not that the necessary Discipline towards them should be neglected, nor that they should be punished according to their Deserts. Put such a Re-*

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ſtraint on their Sins, as that there may be ſome to repent that they have ſinned. So that tho' he intercedes for them that they ſhould not be put to Death, yet the only Puniſhment he would have Hereticks exempted from is Death. Hence in his Epiſtle to *Creſconius* the Grammarian, *b.* 3. *c.* 50. he ſaith: *No good Men in the Catholick Church are pleaſed, that any one, even an Heretick, ſhould be puniſhed with Death.* But as to all other Methods of Perſecution, *Auſtin* is ſo far from being againſt them, that he recommends them, as a Remedy proper for the Extirpation of Hereſies. Hence in his firſt Book againſt *Gaudentius*, c. 5. he ſays: *God forbid that this ſhould be called perſecuting Men, when 'tis only a perſecuting their Vices, in order to deliver them from the Power of them; juſt as the Phyſician treats his diſtemper'd Patient.*

This then is the ſo much admired Clemency of *Auſtin*, that he interceded with the Proconſuls, that the *Donatiſts* ſhould not be puniſhed with Death; whilſt at the ſame Time he not only approved of all other Penalties except Death, ſuch as Baniſhment, the denying them Power to make Wills, to inherit their Patrimony, or to receive what was left them by others, of making Contracts, buying and ſelling, and the like; but he himſelf accuſed them to the Proconſuls, that if they perſiſted in theſe Opinions, they might ſuffer theſe Puniſhments. Who doth not ſee, that under ſuch Circumſtances, Life is ſometimes worſe than Death? And that, as *Arcadius* and *Honorius* decreed with reſpect to the Children of thoſe condemned for Treaſon, Life would be a Puniſhment, and Death a real Relief? 'Tis much more terrible to pine away in Poverty, Baniſhment, and other Miſeries, and then periſh by a lingering Death, than to be killed outright, tho' in a cruel and bloody manner. Yea ſometimes, ſuch hath been the Cruelty of Perſecutors, that they have denied thoſe they have perſecuted, Death, that they might not ſeem to give them the Honour of Martyrdom; whilſt they have invented and exerciſed on them all manner of Miſeries and Tortures, that by the Weight and Length of their Puniſhments, they might force them to a Denial of their Faith. There is no need to produce many Proofs or Examples of this Nature, or to ſearch into Antiquity for Inſtances. I ſhall only produce two freſh ones, one of which now preſents it ſelf to us in *France*. There we ſee that the miſerable Reform'd are not puniſh'd with Death, but given up to the licentious Abuſes of Soldiers, and that they have no End of their Troubles, unleſs they abjure the Reform'd Religion. And yet all the Reform'd unanimouſly agree, they never ſuffer'd a more grievous Perſecution. *Bohemia* will afford us another Inſtance of Perſons forced by the like Cruelty to Apoſtacy. We read in the Hiſtory of the *Bohemian* Perſecution, *c.* 99. that when the Vice Chamberlain of the Kingdom had ſolicited the Inhabitants of the City *Tuſta* in vain to Apoſtacy, and was complaining of their Obſtinacy in the Jeſuits College at *Prague*, one *Martyn de Huerda*, a *Spaniard*, was preſent, and laughed at it, and promiſed to accompliſh the Matter for 500 Pieces of Gold. "Taking with him ſome Bands "of Soldiers, he entered the City, and ſent them by Tens and Twenties to each "Senator, and gave them Liberty to plague them by every Method they could "invent; and by this Means in a little while compelled them all to Apo-

"ſtacy,

" ſtacy, and then received his Reward from the Chamberlain. The ſame " *Martyn*, when others had attempted, in vain, the Reformation, as they cal- " led it, of the City *Kutteberge*, terrified the Citizens by the ſame Means, " till at length they were ſo oppreſſed by Means of the Soldiery, and broken " by their continu'd Perſecutions, that moſt of them complied with their Ene- " mies, and ſubmitted their Necks to the Antichriſtian Yoke; whilſt others, " leaving every Thing behind them but their Wives and Children, went into " Baniſhment." *c.* 93. The like Sort of Reformation we may read, *c.* 97. made in the City *Zaterus*. *Cap.* 103. gives an Account of various Puniſh- ments inflicted, by the Cruelty of which many were forced to Apoſtacy, though not one put to Death. Yea, there is an Account, §. 13. " That " ſome, who begged rather to be put to Death, than compelled to Apo- " ſtacy, were anſwer'd: Cæſar *did not thirſt after their Blood, but the Salva-* " *tion of their Souls.* The like Requeſt made by others was received with " Laughter. *Ho, Sirrah, Do you want the Honour of Martyrdom? Ye* " *Wretches, you are unworthy of having any Occaſion wherein to glory.*" From theſe Examples 'tis clearer than Day, that ſome Perſecutions, though not reaching to Death, may be more cruel than Death it ſelf. And though poſſibly ſome Perſon may pretend a Sort of Gentleneſs in all this, yet let him remember what *Bellarmine* juſtly writes, *De Laicis*, *l.* 3. *c.* 21. That *Au- ſtin* excepts the Puniſhment of Death; *not that he thought they did not deſerve it, but becauſe it became the Clemency of the Church; and becauſe there were, as yet, no imperial Laws: For the law* Quicunque, C. de Hæretici, *was not made till a little after* Auſtin's *Death, ordaining Hereticks to be put to Death.* By which he plainly inſinuates, that he believed that if there had been any im- perial Law, ordaining the Puniſhment of Death to Hereticks, *Auſtin* would have approved of it; for he immediately adds: *That it appears that* Auſtin *thought it juſt to kill Hereticks; becauſe he ſhews, that if the* Donatiſts *were put to Death, they would be juſtly puniſhed*, l. 1. cont. Epiſt. Parmen. c. 7. *and elſewhere.*

If any one will compare theſe Things with the former Opinion of *Auſtin*, he may juſtly cry out, Oh how much is *Auſtin* changed from himſelf, who, mindful of his own former Error, from which he was not recover'd, but by the great Patience of his Friends, was againſt uſing Methods of Cruelty, even towards the *Manichæans*. But now he approves of all Puniſhments againſt the *Donatiſts*, Death only excepted, that they may be compelled into the Catholick Church, even againſt their Wills, under a Pretence that at laſt they may voluntarily remain in her Communion. Now he puts into the Mouths of Perſons theſe forced ſtudied Speeches and Pretences, by which they are taught to palliate their Return into the Church, which was in reality wholly owing to Violence and the Fear of Puniſhment, as though it had been voluntary, and the very Means of their Salvation. But let us ſup- poſe, that they believe themſelves obliged by Virtue of a divine Command to preach their Doctrine, leſt they ſhould diſobey God; and that therefore they ought to return into their own Country to propagate it: What would good

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St. *Austin* determine againſt them in ſuch a Caſe? Why, all his Arguments tend to this, that if they ſhould return, contrary to the imperial Edict, he ſhould not at all diſapprove a capital Puniſhment, if it was ſo appointed by the Laws.

And indeed, all who ſince *Austin* have taught that Hereticks are to be perſecuted, and even puniſhed with Death, have made Uſe of no Authority more than *Austin*'s; and to ſhew how highly they eſteem his Authority, they uſe his Arguments as the very ſtrongeſt, though in themſelves abſurd, and manifeſtly contrary to Scripture, to defend a Doctrine ſo abſolutely repugnant to the Nature of Chriſtianity. From him they have borrowed the Diſtinction, that it is unlawful for Hereticks to perſecute the Church, but the Duty of the Church to perſecute Hereticks. This is now become the common Exception of all the Murderers of Hereticks, with which every one armed with the ſecular Power, under a ſpecious Pretence, perſecutes and oppreſſes thoſe who differ from him: This is the principal Argument by which the Papiſts defend themſelves, when they would juſtify their own Perſecution of Hereticks, and condemn all others that perſecute them. And which is the Wonder, they commend as praiſe-worthy and heroical what is practiſed by their own Church againſt others, even when they condemn the ſame Things as cruel and inhumane in them; as though they were exempted from the common Law of Nature, of doing to others as they would be done by. *Conrad Brunus* complains of the Hereticks and Schiſmaticks, that the *Vandals* and *Donatiſts* in *Africa*, turned and executed all the Laws made againſt Hereticks upon the Catholicks. *Theſe*, ſays he, *the Hereticks alſo of our Time imitate*: In this indeed they are worſe than they; *becauſe they denied thoſe Laws were ever made againſt themſelves; whereas our modern Hereticks affirm they were made, and ought to be executed againſt the Catholicks, as may eaſily be ſeen from many of their Writings.* In the ſame Book he complains: *That the Hereticks ſpare neither Age, nor Sex, nor Degree, nor Dignity; but rage promiſcuouſly againſt Children and grown Perſons, Women and Men, Virgins and Married, old Men and young.* He adds, *c.* 13. *'Tis cruel and moſt inhumane to abuſe the Dead: But this is peculiar to our Hereticks and Schiſmaticks. They conceal the Bodies of Biſhops and Presbyters, Women and Virgins, whom they have barbarouſly killed, and deny them Burial. The Bodies of ſome they have taken out of their Graves, and caſt upon the Ground; others have contemptuouſly ſcattered into the Air the Aſhes of thoſe whom they have burnt, and thrown the Bodies of ſome into Rivers.* If any one conſiders the Decretals of the Popes, the Inſtructions of the Inquiſition, and the uſual Manner of proceeding in it, in which there is no Diſtinction of Perſons; but all are ſubjected to the Inquiſition without Reſpect to Age, Sex or Dignity, which not only forbids the burying dead Hereticks, but annexes a Puniſhment to thoſe who bury them; and oftentimes commands their dead Bodies to be taken up, and to be either thrown upon Dunghills, or reduced to Aſhes, and their Aſhes ſcatter'd in the Air, as ſhall be hereafter more largely ſhewn: I ſay, if any one conſiders theſe Things, he might well think *Brunus* to be in jeſt; unleſs he was of *Austin*'s Opinion, that the Church might

B. 2. *c.* 8. *§.* 3.

Trip. l. 2. *c.* 3.

Pope Leo, *Ep.* 73.

do

do againſt Hereticks what it would not be lawful for Hereticks to do againſt the Church: Which Doctrine once allow'd, every one will decide for himſelf, that his is the true Church, and hence claim a Right of perſecuting others, and perſwade himſelf he doth not act unjuſtly, even though he would not allow others to act ſo by himſelf. Thus we ſee, that Chriſtians by this idle Doctrine, are deviated from their original Simplicity and Meekneſs; and that in the room of mutual Love, by which all the Faithful were of one Heart and one Soul, there have ſucceeded in the Church of Chriſt, not only Diſcords, Contentions, Hatreds and Enmities, but Slaughters, and the worſt of cruel Butcheries.

But ſurely they ought to conſider, that they cannot without Injuſtice, do to others what they think it would be unjuſt in others to do to them; and that therefore as they would not themſelves be perſecuted by others, it muſt be unjuſt in them cruelly to perſecute others, even though they think them Hereticks. For as *Salvian*, Presbyter of *Marſeilles*, admirably writes in his Treatiſe of the Government of God, *B.* 5. *p.* 150, 151. *They are Hereticks, but not willingly. They are Hereticks in our Account, but not in their own. For they judge themſelves to be ſo very good Catholicks, that they give us the infamous Name of Hereticks: So that juſt what we think of them, they think of us. We know they do an Injury to the only begotten Son of God, becauſe they affirm him to be leſs than the Father. They think we derogate from the Father's Honour, becauſe we make the Son equal to him. The Truth is with us; they imagine it to be with them: We truly honour God; they think that their Opinion is moſt honourable to God. They are defective in their Duty; but believe that this is the chief Duty of Religion. They are Impious; but think it to be true Piety: Though therefore they err, they err with an honeſt Mind, not from Hatred but real Affection to God, and believing that they honour and love the Lord. Though they have not true Faith, they eſteem even this to be the moſt perfect Love of God. How they ſhall be puniſh'd in the Day of Judgment for this Error in Opinion, no one knows but the Judge. And therefore I think God patiently bears with them, becauſe he ſees that though they do not believe aright, yet that they err from a real Love to Piety and Truth,* &c. But the Minds of Chriſtians have been perverted from this Branch of Equity through the Prevalence of Self-love; ſo that when they could prevail with the Civil Power to aſſiſt them, they have pronounced all that differed from them Hereticks, and then exerciſed all Kinds of Cruelty againſt them.

CHAP.

CHAP. VII.

The PERSECUTIONS *of the* POPES *against* HERETICKS.

IN the following Ages the Affairs of the Church were so manag'd under the Government of the Popes, and all Persons so strictly curbed by the Severity of the Laws, that they durst not even so much as whisper against the received Opinions of the Church. Besides this, so deep was the Ignorance that had spread it self over the World, that Men, without the least Regard to Knowledge and Learning, received with a blind Obedience every Thing that the Ecclesiasticks order'd them, however stupid and superstitious, without any Examination; and if any one dared in the least to contradict them, he was sure immediately to be punish'd; whereby the most absurd Opinions came to be establish'd by the Violence of the Popes. 'Twas at this Time that the Doctrine of Transubstantiation was introduced into the Church, now, in every Thing, subject to the Pope's Beck; and how dangerous it was to oppose it, we may learn from the Instance of *Berengarius* of *Tours*, Archdeacon of *Angiers*, who, teaching that the Bread and Wine in the Supper, was only the Figure of the Body and Blood of the Lord, was condemn'd as an Heretick, by *Leo* IX. in a Synod at *Rome* and *Vercellæ*, in the Year 1050, and five Years after, *viz.* 1055. was forced to recant, and to subscribe with his own Hand to the Faith of the *Roman* Church, and confirm it with an Oath, by *Victor* II. in the Council of *Tours*. But as *Berengarius* his Recantation was forced; and as he afterwards defended that Opinion, which in his Heart he believed, *Nicolaus* II. called a Council at the *Lateran*, *Anno* 1059. and there again condemn'd *Berengarius*, and compell'd him to make a solemn Abjuration, which *Berengarius* publickly read, and sign'd with his own Hand. This was that famous Abjuration, which begins, *Ego Berengarius*. Thus was the Truth suppressed by the Papal Violence. In the *East* also, *Anno* 1118. one *Basilius*, the Author of the Sect of the *Bongomili*, was publickly burnt for Heresy by the Command of *Alexius Comnenus* the Emperor, as *Baronius* relates, *Anno* 1118. §. 27.

In the mean Time the Power of the *Roman* Pontiff grew to a prodigious Height, and began to be very troublesome, even to the Emperors themselves; for not content with the Ecclesiastical Power, they claimed also the Subjection of the Secular. But in the midst of this thick Darkness, some Glimmerings of Light broke forth through the great Mercy of God.

For after the Year of Christ, 1100. there arose various Disputes between the Emperors and Popes, about the Papal Power in secular Affairs, which, as they were managed with great Warmth, gave Occasion to many more strictly to examine that unbounded Power which the Popes of *Rome* claimed to themselves. Some of the Emperors bravely maintained their Rights against the Papal Encroachments, and were supported, not only by the Arms and Forces of Generals

and Princes, but by Bishops and Divines, who strenuously wrote in their Defence. This spirited up many others to oppose that unbounded Authority, which the Popes assumed in Matters of Faith, who not only argued that they were capable of erring, as well as the other Bishops, but actually pointed out and censured their many Errors and Abuses of their unlimited Power: All these the Court of *Rome* branded with the infamous Name of Hereticks, and would have made the Sacrifice to the publick Hatred.

They appeared first in some Parts of *Italy*, but principally in the *Milaneze* and *Lombardy:* And because they dwelt in different Cities, and had their particular Instructors, the Papists, to render them the more odious, have represented them as different Sects, and ascribed to them as different Opinions, though others affirm they all held the same Opinions, and were entirely of the same Sect. The Truth is, that from the oldest Accounts of them we shall find, that they did not all hold the same Tenets, and were not of the same Sect; though neither their Opinions nor Sects were so many and different as the Papists represent. The Principal of them were *Tanchelinus*, *Petrus de Bruis*, *Petrus Abailardus*, *Arnaldus Brixianus*, whose Opinion *Baronius* calls the Heresy of the Politicians, *Hendricus*, and others, who preached partly in *Italy*, and partly in *France* about the Country of *Tholouse*; and because afterwards the greater Number of them propagated their Opinions in the Province of *Albigeois*, in *Languedoc*, and gather'd there large and numerous Churches, who openly professed their Faith; they were stiled *Albigenses*.

CHAP. VIII.

Of the ALBIGENSES *and* VALDENSES.

ABOUT the same Time the *Valdenses*, or the poor Men of *Lyons*, appeared at *Lyons*, whose Original hath been largely shewn by the most Reverend and Learned *Usher*, Archbishop of *Armagh*, in his Book *De Successione*, &c. *ch.* viii. I shall therefore only enquire, whether the *Valdenses* and *Albigenses* were the same People, according to the common Opinion of Protestants, or different from one another. It cannot be doubted but that they had some Opinions in common. But there is nothing more evident, than that there was amongst them a great Variety of Doctrines, and Difference of Rites and Customs, as appears from the Book of the Sentences of the Inquisition at *Tholouse*, which I have publish'd, in which are to be found many of the Sentences pronounced against the *Albigenses* and *Valdenses*, which discover some very curious and uncommon Things, concerning their Doctrines and Rites; and which are such evident Proofs of their difference in Opinions and Customs, that from the reading of a few Lines, one may easily know whether

ther the Sentence pronounced was against the *Albigenses* or *Valdenses*; which manifest Difference hath induced me to believe that they were two distinct Sects; though I have hitherto been in the common Opinion, that they were but one. And that this may appear more clearly, I shall here give out of the Book of Sentences, the Doctrines common to both, and those in which they differ'd, and describe their particular Rites and Customs.

The Opinions common to them both were these: *Every Oath is unlawful* fol. 39. b.
and sinful; and therefore they would never, upon any Occasion, take an fol. 96.
Oath.

Concerning *Penance and the Confession of Sins*: The *Albigenses* are said to fol. 40.
believe, *That Confession made to the Priests of the Church of* Rome, *signifies nothing: That neither the Pope nor any other of the Church of* Rome *can absolve any one from his Sins; but that they have the Power of Absolving from their Sins, all those who become of their Sect, by the Imposition of Hands.*

Almost the same Things are ascribed to the *Valdenses*, that they teach, *That they have Power from God only, even as the Apostles had, of confessing Men* fol. 96.
and Women of their Sins, who believe them, and are willing to confess to them: That they hear their Confessions, and enjoyn them Penance for their Sins; although these who hear their Confessions, are not ordained by the Church, are not Priests or Clerks, but Laicks only; and though they confess that they have not, in the least, received this Power from the Church of Rome. And farther, in most of the Sentences against the *Valdenses*, we find, *That they confessed their Sins to one of the* Valdenses, *and received Absolution and Penance from him, and believed that the said Confession and Absolution, and Penance, as much avail'd to the Salvation of the Soul, as though they had been confessed to a proper Priest.* But their Doctrine is best understood by the Sentence of *Hugueta*, the Wife of *John*, of *Vienna*: *That God only can absolve from Sins; and that he who receives Confession, can only* fol. 147.
advise what a Man ought to do, and enjoin Penance; and that a wise and prudent Person may do this, whether he be a Priest or not.

As to the Church of *Rome*, the *Albigenses* are said to believe, *That there* fol. 40.
are two Churches, one merciful, viz. *theirs and the Church of Christ; which retains that Faith, in which every one, and without which no one can be saved: The other a cruel one,* viz. *The Church of* Rome, *which is the Mother of Fornications, the Temple of the Devil, and Synagogue of Satan; and that no one can be saved in the Faith of that Church.* And elsewhere we read, *That no* fol. 3.
Man can be saved, that is not received by them, and unless he die of their Sect.

The *Valdenses* are said to have taught almost the same Things: *That they* fol. 96.
are not subject to the Roman *Pontiff, nor to the Prelates of the Church of* Rome: *That they cannot be excommunicated by the Pope, nor the other Prelates of that Church: That they ought not to obey the Pope, when he commands them to forsake and abjure their Sect, as condemned by the Church: That the Church of* Rome *sins, and acts unlawfully and unjustly against them, because it persecutes and condemns them.* And that they farther taught, *That the Prelates of the Church of* Rome, fol. 128. b.
are blind Leaders of the Blind; do not preserve the Truth of the Gospel, nor imitate the apostolick Poverty; and that the very Church of Rome *is an House of Lies.*

 The

The Opinions that are aſcribed to the *Albigenſes*, but never to the *Valdenſes*,
fol. 40. are theſe: *That there are two Gods and Lords; the one good, the other evil. That the Creation of all Things, viſible and corporeal, was not from God our heavenly Father, and the Lord Jeſus Chriſt, but by the Devil and Satan, the evil God, who is the God of this World, and the Maker and Prince of it:* Which
fol. 68. they expreſs elſewhere in this Manner: *That it was not God that cauſed the Earth to yield Seed and bring forth Fruit.* And elſewhere: *That the good God made all Things inviſible and incorruptible; and that the evil Prince,* viz. Lucifer, *made all Things viſible and corruptible, and even humane Bodies.*
fol. 120. b. And in another Place: *That there were two Gods, one good, the other bad; and that the bad God created all Things viſible.*

Since theſe Things are to be met with in the Sentence of *Petrus Auterius*, one of their famons Doctors, I am apt to think, not only that ſome of the *Manichæans*, who were baniſhed from *Aſia*, and came into *Bulgaria*, and afterwards went into the Country of *Tholouſe*, lurked amongſt them; but that they had, many of them at leaſt, embraced the *Manichæan* Opinions. And indeed, we ought not to conceal the Truth. For although they are to be commended for having diſcover'd many of the *Romiſh* Errors in Doctrine, and for their forſaking the Communion of that Church; yet we ought ingenuouſly to own their Miſtakes. And as their recommending to thoſe they received into their Communion, what they called the *Endura*, *i. e.* faſting themſelves to Death, was certainly an Error in Practice; ſo that we need not be aſhamed to own that they ſometimes erred in Matters of Faith. 'Tis rather to be wonder'd at, that in ſo barbarous an Age, they ſhould throw off ſo many Errors, than that they ſhould retain ſome.

But beſides, they are ſaid alſo to have held the following Opinions.

fol. 40. That all the Sacraments of the Church of *Rome* are vain and unprofitable, *viz.* The Euchariſt, Baptiſm, Confirmation, Order, and extreme Unction.

fol. 39. b. fol. 120. b. As to the Euchariſt, they are reported to have believed, *That there was not the Body of Chriſt, and that there was nothing but meer Bread.*

fol. 120. b. As to the Baptiſms: *That they condemned the Baptiſm of Water, ſaying: That a Man was to be ſaved by their laying on of Hands upon thoſe who believed them;*
fol. 68. a. *and that their Sins were to be remitted without Confeſſion and Satisfaction: That no Baptiſm availed any Thing; no, not their own.* We read alſo in the Sentence of *Petrus Raymundus Dominicus de Borno*, that he heard *Peter Auterii* teach-
fol. 176. ing, amongſt other Things, *That the Baptiſm of Water, made by the Church, was of no avail to Children; becauſe they were ſo far from conſenting to it, that they wept.*

fol. 3. As to extreme Unction: *That the Order of St.* James, *or extreme Unction upon the Sick, made by material Oil, ſignified nothing; and that they prefer Impoſition of Hands, which the Inquiſitors call execrable.*

fol. 3. As to Orders: *That they reproach and condemn the Conſtitution of the whole Church of* Rome, *and deny all the Prelates of it the Power of Binding and Looſing; ſaying: That they cannot looſe or bind other Sinners, ſince they themſelves are greater Sin-*

Sinners; but that they can give to those they receive, the Holy Spirit, in order to their Salvation.

As to Matrimony: *That it is always sinful, and cannot be without Sin; and* fol. 40.
was never appointed by the good God. Also: *That carnal Matrimony between* fol. 82. b.
a Man and Woman, is not true Matrimony, nor good, nor lawful, nor appointed by God; but a quite different spiritual Matrimony.

As to the Incarnation of Christ: *That the Lord did not take a real humane Bo-* fol. 40.
dy, nor real humane Flesh of our Nature; and that he did not really arise with it, nor do other Things relating to our Salvation; nor sit down at the Right-hand of the Father with it, but only with the Likeness of it. They affirm also: *That the most holy Virgin* Mary, *the Mother of our Lord, neither is, nor was a carnal Woman, but their Church, which they say is true Penitence; and that this is the Virgin* Mary. Or as we read elsewhere: *That God never enter'd into the Womb* fol. 82. b.
of the blessed Virgin Mary; *and that he only is the Mother, and Brother, and Sister of God, that keeps the Commands of God the Father.* Likewise, that *is was* fol. 120. b.
impossible for God to be incarnate; because he never humbled himself so much, as to put himself in the Womb of Woman.

Concerning the Resurrection of the Dead: They are charged *with denying* fol. 120. b.
the Resurrection of Bodies. Or: *There will be no future Resurrection of humane* fol. 146.
Bodies; and altho' the Souls of Men shall come to Judgment, they shall not come in their Bodies. Which is elsewhere more distinctly explain'd: *That they imagine a* fol. 40.
Sort of spiritual Bodies, and a Sort of an inward Man; in which Bodies Persons are hereafter to rise. One of the *Albigenses* is said to have believed, that *when* fol. 146.
the Souls of wicked Men are gone out of their Bodies, before and after Judgment, they go through los Bausses, *and* los Tertres, *i. e. over Rocks and Precipices; and that the Devil throws them headlong from the Rocks.* Also, *That the Souls of Men, even after their Separation from the Body, have Flesh and Bones, Hands and Feet, and all Members; which though they are thrown by Devils headlong from the Rocks, and by this Means tormented, yet can never die.*

As to the Adoration of the Cross: *That no Man ought to adore the Cross:* fol. 68.
Which in another Place is very odiously represented, *viz. That the Sign of the* fol. 3.
holy Cross, which the universal Church worships as the Emblem of our Salvation, and the Representation of our Lord's Passion, is a detestable Emblem of the Devil. And the Reason of this is added elsewhere: *That the Cross of Christ ought not* fol. 176.
to be adored; because no Man worships the Gallows upon which his Father was hanged.

As to the humane Soul: *That Souls were Spirits banished from Heaven because* fol. 120. b.
of their Sins.

These are said to be the Principles of the *Albigenses*, and they will all appear in the Sentence pronounced against *Stephana de Proaudo*, which I shall here give at large, from the Book of the Sentences of the Inquisition at *Tholouse*.

" In the Year of our Lord 1307, the 5th of the Nones of *March*, and first
" Sunday in *Lent*, We the before-mention'd Inquisitor and Vicars. Whereas
" it most evidently and lawfully appears to us, by thy wicked Assertions, that

" thou

" thou *Stephana de Proaudo*, formerly Wife of *Peter Gilbert*, being infected " with the pestiferous Doctrines of Hereticks, dost assert and confess into- " lerable and abominable Errors, contrary to the Catholick Faith of the ho- " ly *Roman* Church, denying, with profane Lips, that the Incarnation of our " Lord *Jesus Christ* hath been or is from the Woman, and that there is to be " a Resurrection of human Bodies, attributing the Creation of visible Things " to the Devil, whom thou assertest to be the Prince of this World, thereby " denying the Creation to be from the Almighty God. And thou dost re- " proachfully disown, deny and condemn, acccording to the Error of hereti- " cal Impiety, all the seven Sacraments of our Salvation, *viz.* Baptism by " corporal Water, and administer'd to Children. Likewise the Sacrament of " the holy Body and Blood of our Lord *Jesus Christ* from Bread and Wine up- " on the Altar. And the Confession of Sins made to the Priests of the *Roman* " Church, to whom thou denyest the Power of binding and loosing. Likewise " the Sacrament of carnal Matrimony, which thou assertest and affirmest can- " not be without Sin, according to the Doctrine of those Hereticks. Thou " also reproachest and blasphemest our holy Orders, by preferring the damn- " ed and profane Order of Hereticks. Thou sayest that the Order of St. " *James*, or extreme Unction of the Sick with material Oil, profits no- " thing, preferring to it the execrable Imposition of Hands, which they " call Spiritual Baptism, or the Consolation, or Reception, and good End. " Thou also approvest and commendest, dost defend and sustain, the Life, " Sect and Faith of the said Hereticks, and impiously assertest and declarest, " that there is no Salvation to any unless he be received by them, and die in " their Sect. Likewise thou assertest and affirmest, that the Sign of the holy " Cross, which the whole Church adores as the Sign of our Salvation, and a " Representation of our Saviour's Passion, is the detestable Sign of the " Devil. Likewise thou reproachest and condemnest the State of the " whole *Roman* Church, and deniest the Power of binding and loosing in " all the Prelates of the *Roman* Church, saying, that they cannot bind " and loose other Sinners, since they are greater Sinners themselves; " and thou assertest that those Hereticks, whom thou callest and affirm- " est to be good Men, can give the Holy Spirit for Salvation to those " whom they receive, and sayest that they are Imitators of the Apostle, lead " their Life, and are of their Sect, and sayest and attestest many other erro- " neous and false Things, according to the Premisses, as we our selves have " heard them with our Ears several Times from thy own Mouth, in the Pre- " sence of many Persons. Likewise we have heard from thee, many others " being present and hearing also, that thou hast seen and heard, in their turn, " seven perfect Hereticks in *Tholouse*, viz. *Peter Raimondi de Sancto Papulo*, " and *Messier Bernart de Monte Acuto*, and *Peter Auterii*, and *James* his Son, " and *William Auterii*, Brother of the said *Peter*, and *Aucelius* and *Andrew*, " and hast seen an eighth Heretick in the Way, whom thou namest *Philip*. " Likewise thou hast confessed before the said Inquisitor, that thou hast ado- " red the said Heretick *James* after an heretical Manner. Upon all which Er-

" rors

" rors and Heresies thou hast been frequently admonished, and exhorted by " Reasons and Authorities of holy Scripture, and besought by sweet Words in " the Lord, as well by me the aforesaid Inquisitor, and the Vicars, as by many " religious Persons, Predicants and Minors, and other Orders, and by other " good Men of the Clergy and Laity in the City of *Tholouse*, and even by " thy own Parents, that thou would'st forsake the aforesaid Errors, and " with a good and pure Heart would'st return to holy Mother the Church " of *Rome*, without which there is no Salvation, and wouldst abandon that " detestible heretical Sect, which leads Souls to Damnation, and infernal De- " struction. But thou would'st not hitherto acquiesce, nor, tho' long waited " for, be converted to the Catholick Faith, but even yet perseverest in thy " said Obstinacy with an harden'd Mind. Therefore with the Advice of good " Men, skilful in the Canon and Civil Law, and of many religious Persons, " that such a scabbed Sheep may not infect the sound Sheep of the Lord's " Flock, having God before our Eyes, and not being able to bear such " Blasphemy and Scandal to the Faith, and the Name of our Lord *Jesus* " *Christ*, and having peremptorily assigned to thee this present Day, to hear " thy definitive Sentence, and laying the holy Gospel before us, we do ad- " judge thee to be an Heretick, and as such leave thee to the secular " Court.

These Opinions of the *Albigenses* are not one of them ascrib'd to the *Valdenses*, who had quite different Tenets, which are never mentioned in the Sentences of the *Albigenses*. They are such as these:

That all Judgment is forbidden by God, and that of Consequence 'tis a Sin, and contrary to what God hath forbidden, for any Judge to condemn any Man to Punishment or Death, in any Case, or for any Cause whatsoever. And for this they apply these Words of the Gospel, Judge not that ye be not judged. *fol.* 96.

That the Indulgences given by the Prelates of the Church of Rome *are of no avail; That there is no Purgatory for Souls after this Life; and that the Prayers and Vows of the Faithful for the Dead cannot profit them.* This is elsewhere more distinctly explained: *That this Life is the only Purgatory and Place for Repentance for Sins; and that when the Soul goes from the Body, it goes either to Paradise or Hell; and that therefore the* Valdenses *make no Prayers or Vows for the Dead, because, say they, those who are in Paradise do not need them, and those that are in Hell cannot reap any Advantage by them.* *fol.* 96. *fol.* 92.

That in the Church there are but three Orders, viz. *of Bishops, Priests, and Deacons.* It is imputed to them also as a Crime, that tho' they were Laymen, they preached from the Gospels, Epistles, and other Books of the holy Scriptures; whereas the Preaching and Exposition of the Scripture is entirely forbidden the Laity. All these Things will appear more plain from a Sentence passed on one of the *Valdenses*, which I shall here insert, out of the Book of the Sentences of the *Tholouse* Inqu. *fol.* 128. *fol.* 146. *b.* *fol.* 128. *b.*

" In the Name of our Lord *Jesus Christ*, Amen. We the foresaid Inquisi- " tors of heretical Pravity, and delegated Commissaries of the venerable Per- " sons, the Vicars General and Chapter of the Church of *Aix*, during the Va-

" cancy

" cancy of the See. Whereas it evidently and legally appears to us, as " well by the Inquisition made in general against all who are infected with " heretical Pravity, and by the Publick Acts and Process of the said Inquisition, as well as by thy Answers, and Assertions, and proper Confessions " made in Judgment, that you *John Chauoat*, Son of *Peter Chauoat*, of the " Village of *Mulsia*, near *Urgeletum*, in the Diocese of *Besancon*, usually dwelling at *Vienne* in the Diocese of *Aix*, was long since taken up, and have been " found by Process, to be of the Sect and Heresy of those, who are called *Valdenses*, or poor Men of *Lyons*; which Sect and Heresy the holy *Roman* " Church hath many Years ago condemned as heretical, and hath persecuted " and condemned the Followers and Professors of it as Hereticks; which Sect " thou hast held and maintained for nine Years past, participating and communicating with the *Valdenses*, knowing them to be such, by eating and " drinking according to their Manner, praying with them on your bended " Knees, by hearing their Words and Preachings which they make in their " Conventicles to their Believers, and by receiving them in thy House, and " also by often confessing thy Sins to them, and humbly receiving from them " Absolution and Penance, which they call the * Amendment; and whereas " being apprehended, and at the Beginning, being judicially required, would'st " not swear, but didst several Times refuse to abjure the said Sect and Heresy, " affirming that you believed it to be good, and that the Followers of it were " good Men, and might be saved in it. And finally, whereas you have feignedly and falsly said with your Mouth, but not with your Heart, that you " would depart from it, and abjure it, and hast in Word but not with the " Heart judicially abjured it; of which Feignedness and Falshood, and the " Doubleness of thy Heart there is legal Proof, by those Things which you " have plainly and fully since recognized, asserted and confessed in Judgment. " And farther, whereas you have manifested your Treachery after your " feigned tho' judicial Abjuration of the said Sect and Heresy, by having denied, and still denying with an obstinate Mind, tho' oftentimes required in " Judgment, to swear that you would speak the Truth, and dost as before, " and much more evidently, approve and commend the Errors and Heresies " of the said Sect, and assertest, that the Followers of it are just and good " Men; and that the Prelates of the *Roman* Church, and the Inquisitors " of heretical Pravity, who persecute them, do unjustly and unrighteously, " in apprehending and detaining them, because unwilling to forsake the said " Sect, and by delivering them over to the secular Power. Particularly, " whereas the erroneous Followers and profane Professors of the Sect and Heresy of the *Valdenses* hold and affirm, that they are not subject to our Lord " the Pope, or the *Roman* Pontiff, or to other Prelates of the Church of " *Rome*, because it unjustly persecutes and condemns them. *Item*, They " assert that they cannot be excommunicated by the said *Roman* Pontiff and " Prelates, and that no one of them is to be obey'd, when they order and " command the Followers and Professors of the said Sect to desert and abjure it, altho' condemn'd as heretical by the *Roman* Church. *Item*, The

* *Melioramentum.*

2 " foresaid

" foresaid Sect and Heresy, and Followers and Professors of the same, hold
" and dogmatize, that every Oath, without Exception or Exposition, is prohibited of God, and is unlawful, and a Sin; and this we have heard from your own Mouth, that you so believe and hold, by applying to this Purpose the Words of the holy Gospel, and of St. *James* the Apostle, of not Swearing, tho' in a mad and mistaken Sense: Whereas, according to the sound Doctrine of the Saints, and Doctors of the Church, and Tradition of the said Holy Catholick Church, 'tis not only lawful but necessary to swear for attesting the Truth in Judgment, and also by a Statute long since published against the foresaid Error, 'tis appointed, that those who by a damnable Superstition refuse an Oath, and will not swear, shall be for this Reason declared Hereticks, and subjected to the Penalties ordered by the Canon. *Item*, Thou thy self hast oftentimes, and before many of us, being canonically and judicially required to swear for the Truth, wholly refused to swear, and yet refusest it, asserting that you believe that 'tis prohibited by God, and unlawful, and a Sin to swear at all. *Item*, From the same Fountain of Error, and mistaken Understanding, the foresaid Sect and Heresy asserts, that all Judgment is prohibited of God, and by Consequence that 'tis a Sin, and against the divine Prohibition, that any Judge, in any Case, or for whatsoever Cause, should judge any Man to bodily Punishment, or to Death; applying, without a proper Exposition, the Words of the holy Gospel, where it is written, *Judge not, that ye be not judged*; Item, *Thou shalt not kill*, not understanding nor receiving them as the holy *Roman* Church understands and delivers them to the Faithful, according to the Doctrine of the Fathers and Doctors, and canonical Sanctions; which said Sanctions the said Sect, departing from the right Path, neither receives nor accounts valid, but despises, renounces, and condemns. *Item*, Most perniciously erring about the Sacrament of true Penance, and the Keys of the Church; they say, and teach, and hold, that they have Power from God, as the Apostles had, of hearing the Confessions of the Sins of all that are willing to confess, and of absolving and enjoining Penances: And they do hear the Confessions of such, and enjoin those who confess to them Penances for their Sins, tho' they are not ordained Clerks or Priests by any Bishop of the *Roman* Church, but are mere Laicks, and confess they have not any such Power from the *Roman* Church, but rather deny it, and indeed have it not from God, nor from his Church, since they are without the Church, and cut off from the Church, out of which there is no true Penance or Salvation. *Item*, Thou thy self hast confessed in Judgment, that long since thou hast confessed thy Sins severally to four of the *Valdenses*, viz. *John Moran*, *Peter de Cernone*, *John Brayssan*, and *Stephen Porcherii*, and hast received Penance from them, knowing them to be *Valdenses*, and that they were not Priests ordained by any Bishop of the *Roman* Church. *Item*, The foresaid Sect and Heresy of the *Valdenses* make a Jest of the Indulgences which are granted by the Prelates of the Church, asserting that they are not valid. *Item*, It denies that there is after this Life

"any Purgatory for Souls, and of Consequence that Prayers, and Alms, "and Masses, and other Vows of Piety, which are made by the Faithful "for the Dead, can at all profit them. *Item*, Detracting from the Prelates of "the Church of *Rome*, they deny and condemn their State, saying, that they "are blind, and Leaders of the Blind, and that they do not preserve the Gospel Truth, nor follow the Apostolick Poverty. They also obstinately "and falsly affirm, that the Church of *Rome* is the House of a Lye. *Item*, "Comparing themselves with the Apostolical Life and Perfection, and equalling themselves to them in Merit, they vainly glory in themselves, boasting "that they hold and preserve the Evangelick and Apostolick Poverty. *Item*, "These and other Things, as well erroneous as mad, they privately dogmatize to their Believers in their Conventicles. *Item*, They preach from "the Gospels and Epistles, and other sacred Writings, which by expounding they corrupt, as Masters of Errors, who know not how to be Disciples "of the Truth, because the Preaching and Exposition of the sacred Scriptures is wholly forbidden to the Laity. *Item*, The said Sect of the *Valdenses* differs and disagrees in several Things, in Life and Manners, from "the common Conversation of the Faithful, as is found and plainly appears "by the Inquisition and Examination as well of the *Valdenses* themselves, as "their Believers, and especially by the Confessions of those who are converted by the Inquisitors from that Sect and Heresy. Moreover, thou "*John* hast judicially before us and elsewhere, oftentimes approved and "praised the said Sect and Heresy of the *Valdenses*, and dost yet approve "and commend it, nor wilt depart from it, nor abjure and forsake it, but "rather perseverest in it with an obstinate Mind, altho' by us and several "other good Men thou hast been oftentimes invited to Conversion, and "hast been canonically admonished and judicially required by us, that "in Heart and Deed thou shouldst turn from it, and with thy Mouth and "Soul wholly abjure it. We therefore the foresaid Inquisitors, having God "before our Eyes, *&c.* do declare and pronounce, and deliver you over to "the secular Court, as relapsed into the Heresy which you have before "judicially abjured, and as an impenitent and obstinate Heretick, affectionately bewailing it, as the canonical Sanctions oblige us to do, to preserve "your Life and Members untouched. Signed,

(L. S.) William Juliani, *publick and sworn Notary for the Office of the Inquisition*; *and* James Masquetius, *Notary of the Inquisition.* (L. S.)

From these Instances it appears, that the Opinions of the *Albigenses* and *Valdenses* were different. However, 'tis not to be doubted, but that oftentimes their Enemies gave very vile and odious Accounts of the Doctrines they held; as will appear by comparing the several Places in which they describe

ſcribe them. For the ſame Opinion, which in one Place appears extremely erroneous; in another, when 'tis more fully explained, and without Spite, is harmleſs enough; of which the ſingle Inſtance of the Reſurrection of the Dead is full Proof. For ſometimes the *Albigenſes* are accuſed, that *they deny the Reſurrection of human Bodies*; as tho' they quite denied the Reſurrection of the Dead; which yet in another Place is more diſtinctly explained thus, that *the Dead ſhall ariſe with ſpiritual Bodies.* And that their Opinions have been miſrepreſented elſewhere, there can be no Doubt, and it will appear upon a Compariſon of the ſeveral Places, wherein they are recorded. But that the Opinions of the *Albigenſes* and *Valdenſes* were very different, cannot be denied. For if they had held the ſame, no Reaſon can be aſſigned, why different ones ſhould have been aſcribed to them. One would rather be inclined to believe, that as their Perſecutors greedily ſought after every Occaſion to puniſh them, they would have faſtened on every one of them all the heretical Opinions of the *Valdenſes* and *Albigenſes*; that ſo being burdened with numerous Crimes, the Inquiſitors might ſeem to have the more juſt Pretence for condemning them.

For this very Cauſe it may be juſtly concluded, that many other of thoſe impious Tenets that are aſcribed by *Baronius*, *Bzovius*, and others, to the *Albigenſes* and *Valdenſes*, were invented out of mere Hatred to them, and to render them deteſtable to the People; eſpecially that impious Opinion, which *Eymericus Direct. Inquiſ. Par.* 2. *Quæſ.* 14. imputes to the *Valdenſes*: *That 'tis better to ſatisfy a Man's Luſt by any Act of Uncleanneſs whatſoever, than to be perpetually burning; and that (as they ſay and practiſe) 'tis lawful in the dark for Men and Women to lie promiſcuouſly with one another, whenſoever and as often as they have the Inclination and Deſire.* For if this had been their Tenet, would there not have been one of that vaſt Number of Priſoners, that they condemned to ſuch various Puniſhments, to be found, that was infected with it? Or, if it could have been proved upon them, was the Equity, Humanity and Compaſſion of the Inquiſitors ſo very great, as to have concealed a Crime, that would have been condemned by the common Voice of Mankind, and expoſed thoſe that were guilty of it to the moſt ſevere Puniſhment and Death? Would they, by ſuch a Method of acting, have given the World occaſion to cenſure them for perſecuting, and cruelly puniſhing Men merely for the Sake of holding Opinions different from the *Roman* Faith, tho' conſiſtent with a due Regard to a good Conſcience, when at the ſame Time they might have accuſed them of ſo horrid an Impiety? If they had been really ſuch execrable Perſons, their Crimes ought to have been publickly expoſed; and thus they themſelves would have ſunk under the Weight of Infamy, and their Proſecutors would have been ſo far from being charged as bloody Inquiſitors, that they would have deſerved the univerſal Applauſe.

Hence we may learn what Credit is to be given to Popiſh Writers, when they give us an Account of the Opinions and Practices of thoſe they call Hereticks. 'Tis their Way to charge all that ſeparate from their Communion with Impurity and Luſt, as tho' the only Cauſe of their leaving the Com-

munion of the Church of *Rome*, was a dishonourable and vile Love of Women; and they have most impudently dared to reproach with this Vice, Persons that have been remarkable for their Chastity and Continence. In the mean while, nothing is more notorious, than that their Monks and Priests, who are forbid the Remedy of a chaste and honourable Matrimony, abandon themselves without Shame to the most impure Embraces, and infamously wallow in carnal Pleasures. *Erasmus, Tom.* 9. *Page* 401. says; *There is a certain* German *Bishop, who declared publickly at a Feast, that in one Year he had brought to him* 11000 *Priests that openly kept Whores:* For they pay annually a certain Sum to the Bishop. This was one of the hundred Grievances that the *German* Nation proposed to the Pope's Nuncio at the Convention at *Norimberg*, in the Years 1522 and 1523. Grievance 91. *That the Bishops in most Places, and their Officials, not only suffer the Priests to keep Whores, so they pay a certain Sum of Money, but even force the chaster Priests, who live without Whores, to pay the Price of those that keep them; alledging, that the Bishop wants Money, and that those Priests who pay it may either remain single, or keep Whores as they please. How wicked a Thing this is, every one understands.* The same *Erasmus*, in his Account of the Errors of *Bedda, Tom.* 9. *p.* 484. hath the following Passage: *What Wonder if some Nuns in the Age of St.* Austin *are said to have married, when in this Age there are said to be so many Monasteries that are nothing better than publick Stews, and more that are private ones. Even in those where the Rules are more strict, there are more that have the Veil than their Virginity. This I relate with Grief, and I wish it was not true.* And a little after: *I know some, that have buried in the Monasteries the Girls they have abused, that the Affair might be hushed up.* And *p.* 569. *Bedda*, says he, *cries out gloriously, God forbid, God forbid, that any Man should be admitted to the Dignity of the Priesthood, who doth not wholly deny himself carnal Embraces, tho' at this Day there are some to be found who keep fifty Whores, not to add any thing worse.* And *p.* 985. concerning the Prohibition of Flesh: *Amongst the Priests, how scarce is the Number that live chaste? I speak of those who keep publickly at home their Whores, instead of Wives; for I will not mention the Mysteries of their more secret Lusts: I speak of those Things only that are well known to every one.* But the Instance he gives, *p.* 1380. is yet more execrable: That a certain *Dominican* Professor of Divinity, whose Name was *John*, mention'd to him at *Antwerp*, in the House of *Nicholas* of *Middlebourge*, a Physician, a Divine of *Lovain*, who told him, that he refused to give Absolution to a certain Confessor of the Nuns, because he acknowledged he had lain with 200 of them. But what need is there of producing Testimonies out of particular Authors? The very Laws of the Inquisition, which ordain Punishments for those Priests, who sollicit not only Women, but, what is much worse, even Boys, in the Sacrament of Confession, are an undeniable Proof that these Crimes are too frequent and common in that State of impure Celebacy. So that having their own Minds insnared with the Lusts of the Flesh, and *their Eyes*, as the Scripture expresses it, *full of Adultery*, like the Generality of Mankind, they judge of others by themselves, and insinuate that the only, at least the chief Cause

of

of forsaking the Church of *Rome*, is the immoderate Love of Women: Whereas, if they were not acted by the Principles of a good Conscience, but from a Desire of gratifying their lustful Inclination, they might with much more Safety abide in the Communion of the Church of *Rome*, where they have daily Occasions offered to them of fulfilling the Lusts of the Flesh: They have nothing to fear, even from the bloody Tribunals of the Inquisition, if they are but cautious, tho' they sollicit Women in the very Sacrament of Confession. This for once to refute the Calumnies of the Papists, who, whenever they are giving an Account of the Rise of any of those they call Hereticks, are perpetually repeating this Charge against them. But to return to our Purpose:

Besides the above-mentioned Differences of Doctrines between the *Albigenses* and *Valdenses*, they differed also in their Rites and Customs. For at first there were two Sorts of the *Albigenses*. Some professed their Faith, and used their *fol.* 40. *a.* Customs, and were called *Perfecti* seu *Consolati*, *Perfect* or *Comforted*. Others only enter'd into a Covenant with these perfect ones, which they call *La Convenensa*, *The Agreement*, that at the End of Life they would be received into *fol.* 15. *b.* their Sect. This Reception is often called *Heretication*, and was performed 62. *a.* 70. *a.* after this manner to *Benedictus Molinerii* in a certain Illness that he laboured under: Bernard de Goch, *one of the* Albigenses, *held the Hands of the sick Person between his own, and held a certain Book over him, in which he read the Gospel of St.* John, In the Beginning was the Word, *and delivered to him a fine Thread, with which he was to be tied for Heresy.* The Rites administer'd to a sick Woman were somewhat different: Petrus Auterii *said in the Presence of the* *fol.* 86. *a.* *sick Woman, Praise God; either instructing the Woman to say so, or saying so by himself. Then he laid his Hand upon the Woman, holding a certain Book, and* p. 43. *a.* *reading some Words, but first put a white Linen Cloth upon her, and after he had read in the Book,* Peter *and* Aurelius *made many Bows near her Bed.* For this Reception they were prepared by certain Abstinences, which I gather from the Sentence of *Peter Raymundus Dominicus de Borno*, who is said to have seen *Peter Auterii* with *Peter Sancii*, who then kept those Fasts, which they are obliged to do, who are to be admitted to the Sect of the Hereticks.

This Admission was believed to save the Soul of the Person admitted, and was called *Spiritual Baptism*, *The Consolation*, *The Reception*, and *Good End*. So *fol.* 86. *a.* that they were believed to be so sanctified by it, as that afterwards it was *fol.* 3. *a.* unlawful for them to be touched by a Woman. Thus we read in the Sentence of a Woman, whose Father had been received amongst the *Albigenses*; *fol.* 49. *That she was forbid by her Father to touch him, because after his Reception no Woman ought to touch him, and from that Time she never did touch him.* And in another Woman's Sentence; *That 'twas unlawful for her to touch* Petrus *fol.* 68. *b.* Sancii, *and that she heard that 'twas reported amongst them, that they neither touch a Woman, nor suffer themselves to be touched by one.*

But inasmuch as it was possible that the Person received might return to his former Pollutions, his Reception was delay'd to his last Sickness, when there was no more Hopes of Recovery, that so he might not lose the Good he

had

had received; for which Reason some were not admitted, tho' one of the *Albi-
genses* was present; because 'twas not believed they would immediately die.
fol. 68. Thus 'tis reported of *Petrus Sancii*, that being called *to hereticate a certain sick
Woman, she was not then hereticated; because he did not think it proper upon Ac-
count of her not being weak enough.* And afterwards, though the Distemper
grew more violent, *Petrus Sancii* did not hereticate her, because she re-
covered.

As for those who were received during their Illness, they were commanded
to make Use of the *Endura, i. e.* Fasting; and to hasten their Death by the
opening a Vein, and Bathing. Thus 'tis reported of a certain Woman; That *she
fol. 14. *b.* *persevered* in the Abstinence which they call the *Endura, many Days; and ha-
sten'd her bodily Death, by losing her Blood, frequent Bathing, and greedily taking
a poisonous Draught of the Juice of wild Cucumbers, mixing with it broken Glass, that
fol. 46. *by tearing of her Bowels she might sooner die.* Of another, 'tis said, *That she was
forbidden by her Mother-in-Law to give her little Daughter, that had been hereticated
fol. 49. *by* Peter Sancii, *any Milk to drink, by which it died.* Another confesses, *That
she had not seen her Father, since his Heretication, eating or drinking any Thing but
fol. 63. *cold Water.* But one *Hugo*, who continued several Days in the *Endura*, did
afterwards, by his Mother's Persuasion, eat and recover. The same Year
Peter Sancii invited him *to enter into the* Endura, *and so make a good End; but he
would not agree to it till he came to die.* The same *Hugo* saw, *that* Sancius *pro-
cured and hasten'd his own Death, by Bleeding, Bathing, and Cold.* *Petrus Auterii*
fol. 65. *b.* is said to have received another Woman; *and after her Reception, to have forbid,
that any Meat should be given to the said hereticated sick Woman; and there were two
Women who attended her, that watched that there should be neither Meat nor Drink
given her the whole Night, nor following Day, lest she should lose the Good she had
received, and contradict the Order of* Peter Auterii; *although the said sick Woman
desired that they would give her Meat.* But the third Day after, she eat and
fol. 82. *b.* grew well. In the Sentence of *Peter Raymundus*, of the *Hugo's*, we read
these Things concerning the *Endura. You voluntarily shorten your own corporal
Life, and inflict Death upon your self; because you put your self in that Abstinence,
which the Hereticks call* Endura, *in which* Endura *you remained six Days, without
Meat or Drink, and wouldst not eat, neither yet wilt, though oftentimes invited to
it.* However, all of them did not care to subject themselves to so severe a Law.
fol. 71. For we read of a certain Woman, that she would not suffer her sick Daughter,
although near Death, to be received; *because then her said Daughter must be put
fol. 30. *b.* *in the* Endura. There is also an Instance of a Woman, who for fear she should
be taken up by the Inquisitors, put her self in the *Endura*; and sending for a
Chirurgeon, order'd him to open one of her Veins in a Bath: And after the Chi-
rurgeon was gone, she unbound her Arm in the Bath, that so the Blood running
out more freely, she might sooner die. After this she bought Poison in order
to destroy her self. Afterwards she procured a Coblers Awl, which in that
barbarous Age they call *Alzena*, intending to run it into her Side: But the
Women disputing amongst themselves, whether the Heart was on the right
Side or the left, she at last drunk up the Poison, and died the Day after.

They had also a peculiar Manner of saluting each other, by embracing, *fol.* 59. *b.* putting their Hands to both Sides, and turning their Head three Times to *fol.* 176. *b.* each Shoulder, saying every Time, Praise the Lord: Which Manner of Sa- *fol.* 120. *b.* lutation seems to have been very common among them; because we find it *fol.* 9. *b.* mentioned in the Sentences of many of them, and was performed sometimes with bended Knees; sometimes by putting their Hands down, even to the Ground. Sometimes also this Custom was insisted on: So we read of a certain *fol.* 91. Person, *being required by the said Heretick, to bend the Knee before him, and say, Praise ye the Lord; he bent on his Knee, and said before him, Praise ye the Lord. The Heretick answer'd; May God bring you to a good End.* And of a certain Woman, *fol.* 89. *That she saw a certain Person bowing before* Peter Auterii, *in her aforesaid House; and then she was required to make her Amendment before the said Heretick, as the other did. And then she also began to bend the Knee before the said Heretick, and knew not how to make the aforesaid Amendment; upon which, they who were present began to laugh, which made her blush and go away.* We read of another, that *fol.* 70. he agreed with *Peter Auterii, That he would commend himself to him; that he might pray to God for him; and began to bow the Knee before him: And that* Peter Auterii *said, Ye may not do it; for this is not the Place; and so sent him away, that he might not bow the Knee before him, which he was willing and had began to do.* Nor was this Manner of Salutation required only from those who were admitted, but also made Use of by those who were called *Perfect*; and admitted others, as often as they met one another. Thus we read in the Sentence of *fol.* 16. *b.* *Amelius de Perlis,* That he and *Peter Auterius saluted each other with mutual Adoration before the Inquisitors; and that they both adored each other, after an heretical Manner, before them, by falling on their Faces on the Ground; and said that they were of the same Sect; and acknowledged that they had elsewhere oftentimes adored one another after the same Manner.*

They fasted three Days a Week on Bread and Water. A certain sick Man *fol.* 120. *b.* was told, That *he must have no Food, unless he could repeat the* Pater Noster. *fol.* 49.

We read of the *Valdenses*, that they had certain *Elders* (Majores) of their *fol.* 147. Sect. Thus *John* of *Lorain* was called *Majoralis* of that Sect; and *Christian*, and *John* of *Chabley*, *Majores*.

'Tis reported of them also, That *they prayed on their Knees before and after Dinner, leaning on a Table.* This occurs in almost all the Sentences of the *Valdenses*. 'Twas also customary with them to say Grace over their Meat; because *Perrin Faber* was accused, that *he eat and drank with the* Valdenses, *at* *fol.* 109. *b.* *the same Table that had been blessed by them.*

They used to compare themselves with the Apostolical Life and Perfection; and *fol.* 128. *b.* *boast that they were equal to them in Merit; and that they preserved and imitated the Evangelick and Apostolick Poverty;* upon which Account they obtained the Name of the *poor Men of* Lyons.

Besides this, they had other Customs different from the common Way of *fol.* 128. *b.* Living. Thus we read, That *the said Sect of the* Valdenses, *separated and differed in other Things from the common Life and Manners of the Faithful.*

And

fol. 123. And lastly, we read in the Sentence of *John Philibert*, a Presbyter, *That the* Valdenses *preach to their Believers sometime after Supper, in the Night, out of the Gospels and Epistles, in the vulgar Language.*

Since therefore there is so great a Diversity in the Opinions and Customs of the *Albigenses* and *Valdenses*, 'tis very evident that they were two distinct Sects, both of them abhorring the Communion of the Church of *Rome*; but in many Things differing from each other. This appears most plainly from these Acts; for all those that received Sentence, to Page 92. are *Albigenses*: *Stephen Poncher* is the first of the *Valdenses*, mentioned in the same Page. Page 96. follows the Sentence against *John Braysse*, the *Valdensian*. After that, the *Albigenses* and *Valdenses* are condemned promiscuously, but in such a Manner, as that at first View, one may know one from the other. The principal Persons of the *Albigenses*, who received others, and are mentioned in the several Sentences, are *Petrus Auterii*, *James*, his Son; and *William*, *Peter*'s Brother, *Petrus Raimundi de Sancto Papulo*, *Aimericus Barrotti*, *Amelius de Perlis*, *Andreas de Padris*, *Octavius*, *Petrus Sancii de Garda*, *Bernardus Andoyni de Monte Acuto*, and a great Number of others, mentioned *p.* 93, 101, 106, 123, 146. *b.* From hence I conclude, that they were not only two distinct Sects originally, but that they were not united into one Church afterwards, at least, in the Year 1320. *i.e.* half an Age after their first Rise.

Pegna *in Direct. Par.* 2. *com.* 25. I cannot however deny, that *Ivonetus*, who lived about those Times, attributes many Things to the *Valdenses*, which in these Acts are ascribed to the *Albigenses*, viz. that they are divided into two Parties. *There are some*, says Ivonetus, *who are accounted Perfect: These are properly called the poor Men of* Lyons. *All are not taken in under this Character, but are first instructed themselves, a long while, that they may know how to teach others. These* Perfect *declare that they have nothing of their own, neither Houses nor Possessions, nor certain Dwellings. And if they had any Wives before, they put them away. They say they are the true Successors of the Apostles, and are the Masters and Confessors of others; go visiting about the Countries, and confirming their Disciples in their Error: These Disciples bring them all Things necessary. Into whatever Place they come, they give Notice of their Arrival: They are met by great Numbers in some safe and secret Place, to see and hear them. They send them the best of Meat and Drink. They appoint Collections for Support of their Poor, their Masters and Students, who have nothing of their own; or else to inveigle others, who are drawn over to their Party by the Love of Money.* Most of these Things are ascribed in these Acts, to the *Albigenses*; so that they sometimes seem to have been confounded with one another.

On the other hand, *Pegna* and *Eymericus* seem to have acknowledged a Difference between them. For *Pegna*, upon *Eymericus*'s Directory of the Inquisitors, *Par.* 2. *Comment.* 38. calls the *Sacrament of the* Albigenses, Consolamentum, *the Consolation*; and adds, that their other Sacrament was the Blessing of Bread. *This*, says he, *is a Sort of breaking Bread, which they daily use at Dinner and Supper: 'Tis performed after this Manner. When the* Puritans (so he calls the *Albigenses*) *are come to the Table, they all say the Lord's Prayer; in*

the mean while, he who is the principal Person amongst them, either as to Riches or Dignity, takes in his Hand one or more Loaves, according to the Number of those that are present; and saying, The Grace of our Lord Jesus Christ be with you all always; *he breaks the Loaf or Loaves, and distributes to all that sit down, whither they are Puritans, or only their Believers. And in this they differ from the poor Men of* Lyons; *for they perform this Ceremony or Blessing, only once in a Year.*

Of the *Valdenses, Eymericus* thus writes, *P.* 3. *Num.* 112. *Those among them that are Perfect, put in the upper Part of the Shoe or Zabbata, a Sort of a Escutheon, as a Sign, from which they are called* Inzabbatati. *They have one among them, superior to the rest, whom they call* Majoralis *or* Elder, *to whom alone, and to no other, they yield Obedience. When they sit at Table they bless in this Manner:* He who blessed the five Barly Loaves and two Fishes, in the Desart, to his Disciples, bless this Table to us. *And when they rise, they repeat those Words of the Revelation*; Blessing, and Honour, and Wisdom, and Thanks, and Glory, and Strength, be unto our God for ever and ever. *Amen. Always holding their Eyes and Hands lift up to Heaven.* This Account is agreeable to what we read of the *Valdenses*, in the Book of Sentences of the *Thoulouse* Inquisition, but much more explicite and distinct.

The same *Eymericus, Num.* 88, *&c.* charges these Hereticks, of his Time, with many Equivocations and Tricks, by which they endeavour to deceive the Inquisitors, when they interrogate them concerning their Faith, *viz. If they are asked, Do you believe the Sacrament of Baptism necessary to Salvation; they answer; I believe. By which, they mean their own private Faith, and not their believing the Doctrine they are asked about: Or, if it pleases God, I believe well; meaning, that it is not pleasing to God, that they should believe as the Inquisitors would have them: Or, by returning the Question. Sir, How do you believe? And when the Inquisitor answers, I believe the Faith of the Church of* Rome, *they reply, I believe so; meaning, that they believe the Inquisitor believes as he says; not that they believe as he doth.* These and other like Things he affirms that he observed, during the Administration of his Office.

I have been the longer on this Account of the *Albigenses* and *Valdenses*, that every one may judge whether they were one or two different Sects. To speak my own Mind freely, they appear to me to have been two distinct ones; and that they were entirely ignorant of many Tenets, that are now ascribed to them. Particularly the *Valdenses* seem to have been plain Men, of mean Capacities, unskilful and unexperienced; and if their Opinions and Customs were to be examined without Prejudice, it would appear, that amongst all the modern Sects of Christians, they bare the greatest Resemblance to that of the *Memnonites.*

CHAP. IX.

Of the PERSECUTIONS *against the* ALBIGENSES *and* VALDENSES.

Baron. §. 18. N. 4. IT was the entire Study and Endeavour of the Popes, to crush in its Infancy, every Doctrine that any way opposed their exorbitant Power. In the Year 1163. at the Synod of *Tours*, all the Bishops and Priests in the Country of *Tholouse*, were commanded *to take Care, and to forbid, under the Pain of Excommunication, every Person from presuming to give Reception, or the least Assistance to the Followers of this Heresy*, which first began in the Country of *Tholouse*, *whenever they should be discovered. Neither were they to have any Dealings with them in buying or selling; that by being thus deprived of the common Assistances of Life, they might be compelled to repent of the Evil of their Way. Whosoever shall dare to contravene this Order, let him be excommunicated as a Partner with them in their Guilt. As many of them as can be found, let them be imprisoned by the Catholick Princes, and punished with the Forfeiture of all their Substance.*

Pegna *in* Eymeric. *p.* 2. *com.* 39. Bzovius, *a.* 1199. §. 38. Some of the *Valdenses* coming into the neighbouring Kingdom of *Arragon*, King *Ildefonsus*, in the Year 1194. put forth, against them, a very severe and bloody Edict, by which *he banished them from his Kingdom, and all his Dominions, as Enemies of the Cross of Christ, Prophaners of the Christian Religion, and publick Enemies to himself and Kingdom.* He adds: *If any, from this Day forwards, shall presume to receive into their Houses the aforesaid* Valdenses *and* Inzabbatati, *or other Hereticks, of whatsoever Profession they be, or to hear in any Place their abominable Preachings, or to give them Food, or to do them any kind Office whatsoever; let him know, that he shall incur the Indignation of Almighty God and Ours; that he shall forfeit all his Goods, without the Benefit of Appeal, and be punish'd as though guilty of High Treason,* &c. *Let it be farther observed, That if any Person, of high or low Condition, shall find any of the often before mentioned accursed Wretches, in any Part of our Dominions, who hath had three Days Notice of this our Edict, and who either intends not to depart at all, or not immediately, but who contumaciously stays, or travels about; every Evil, Disgrace, and Suffering that he shall inflict on such Person, except Death or Maiming, will be very grateful and acceptable to us; and he shall be so far from incurring any Punishment upon this Account, that he shall be rather entitled to our Favour. However, we give these wicked Wretches Liberty till the Day after* All Saints *(though it may seem contrary to Justice and Reason) by which they must be either gone from our Dominions, or upon their Departure out of them: But afterwards they shall be plunder'd, whipp'd and beat, and treated with all Manner of Disgrace and Severity.*

Raynald. *a.* 1199. §. 23, 24. Nor did they act with less Cruelty against Hereticks in *Orvieto*. *Peter Parentius*, the *Præfect*, declared, and that publickly, to a large Assembly, That whosoever, within an appointed Day, would come back to the Church, which never shuts her Bosom to those who return, and obey the Commands of the Bishops, should obtain Pardon and Favour; but that whosoever

should

ſhould refuſe to return by the prefixed Day, ſhould be ſubject to the Puniſhment appointed by the Laws and Canons. But what this Favour was, is deſcribed in the publick Records of that Church, in theſe Words: *But the Biſhop inflamed againſt the Wickedneſs of the* Manichæans, *received, with a paſtoral Concern, the Confeſſion of the Hereticks, returning from their Hereſy to the Catholick Unity, and preſented them to the Præfect. Some of theſe he bound in Iron Chains, others he cauſed to be publickly whipped, others he miſerably baniſhed out of the City, others he fined, who were true Penitents on Account of the Money they loſt; from others he took large Securities, and pulled down the Houſes of many more: So that the Governor of the City, walking after the Royal Pattern, turned aſide neither to the left Hand nor to the right.* To this Account *Raynaldus* adds, *Theſe Things did this new* Phineas, *burning with an holy Zeal, for the Catholick Faith, this Year in the Time of* Lent. But he was a little after killed by the Hereticks. §. 23.

About the Year 1200, Pope *Innocent* III. wrote to ſeveral Archbiſhops and Biſhops in *Guienne*, and other Provinces of *France*, that they ſhould baniſh the *Valdenſes*, *Puritans*, and * *Paterines*, from their Territories; and ſends thither the Friars, *Reyner*, and *Guido* the Founder of the Order of Hoſpitallers, to convert Hereticks; and commands the Biſhops, that thoſe who would not be converted ſhould be baniſh'd; and that they ſhould humbly receive, and inviolably obſerve whatever Friar *Reyner* ſhould ordain againſt Hereticks, their Favourers and Defenders. He commanded alſo the Princes, Earls, &c. That thoſe Hereticks who ſhould be excommunicated as impenitent by Friar *Reyner*, ſhould be adjudged to Forfeiture of their Eſtates and Baniſhment; that if after this Interdict they ſhould be found in their Dominions, they ſhould proceed more ſeverely againſt them, as became Chriſtian Princes. He gave moreover full Power to *Reyner*, to compel the Princes to this Work, under Pain of Excommunication, and Interdict of their Dominions, without Appeal; and commands him not to delay to publiſh the Sentence of Excommunication againſt the Receivers of excommunicated Hereticks. And to conclude, he exhorts the People to give all Aſſiſtance, when required, againſt Hereticks, to the Friars *Reyner* and *Guido*, and grants to all who ſhould ſtand by them faithfully and zealouſly, the ſame Indulgence of Sins, which is uſed to be granted to thoſe who viſited the Threſhold of St. *Peter* or St. *James*. The next Year following he commands the Archbiſhops of *Aix* and *Metz*, and others, with ſome Abbots, that they ſhould examine the poor Men of *Lyons*, and others, concerning the Orthodox Faith; and as they found the Matter, ſhould give him full Information by Meſſenger or Letters; that being thus more fully informed by them, he might know the better how to proceed againſt them. He made alſo the moſt ſevere Laws for the Extirpation of Hereſy, which are contained in his Letters to the Citizens of *Viterbo*, ſome of whom had been infected with Hereſy.

Bzovius, a. 1198. §. 8. Raynald. §. 37.

Bzovius, a. 1199. §. 21.

Raynald. a. 1199. §. 27.

* Some of the Sectaries of the *Valdenſes*: They called themſelves *Paterines*, after the Example of the Martyrs, who ſuffered Martyrdom for the Catholick Faith; becauſe they, like them, were *expoſitos paſſionibus*, expoſed to Sufferings. *Du Freſne Gloſſar. Med. & inf. Lat. in voce.*

CHAP. X.

Of DOMINICUS, and the first Rise of the Tholouse INQUISITION.

THUS far we have consider'd the Method of Proceeding against Hereticks, as committed to the Bishops, with whom the Government and Care of the Churches were entrusted, according to the received Decrees of the Church of *Rome*. But inasmuch as their Number did not seem sufficient to that Court, or because they were too negligent in the Affair, and did not proceed with that Fury against Hereticks as the Pope would have had them; therefore, that he might put a Stop to the encreasing Progress of Heresies, and more effectually extinguish them, about the Year of our Lord, 1200. he founded the Order of the *Dominicans* and *Franciscans*, that they might preach against Heresies. *Dominick* and his Followers were sent into the Country of *Tholouse*, where he preached, with great Vehemence, against the Hereticks that were arisen there; from whence his Order hath obtained the Name of *Preachers*, or *Predicants*. Father *Francis*, with his Disciples, batteled it with the Hereticks of *Italy*. They were both commanded by the Pope, to excite the Catholick Princes and People to extirpate Hereticks; and in all Places to enquire out their Number and Quality, and also the Zeal of the Catholicks and Bishops in their Extirpation; and to transmit a faithful Account to *Rome*. Hence they were called *Inquisitors*.

It is evident that the first Inquisitors were *Dominican* Friars, or of the Order of *Predicants*; but 'tis not so certain what Year the Inquisition it self was first introduced. *Dominick*, as hath been said, was sent into the Country of *Tholouse*, * or *Gallia Narbonensis*: He, as *Bertrand* relates in his Account of the Affairs of *Tholouse*, whom *Usser* cites, first lodged in the House of a certain Nobleman, to whom belonged the House of the Inquisition at *Tholouse*, near the Castle of *Narbonne*; and finding him sadly infested with Heresy, Father *Dominick*, Inquisitor of the Faith, reduced him to the Path of Truth; upon which, he devoted himself and his House, to St. *Dominick* and his Order: Which House hath ever since belonged to the Inquisition, and the *Dominican* Order. From hence we may gather, that *Dominick* was the first Inquisitor; and that the Inquisition was first introduced into *Tholouse*: But as to the Year when, Writers differ; some referring it to the Year of Christ, 1212; others to 1208; and others to 1215. This is certain, and agreed by all, that it began under the Papacy of *Innocent* III. and that *Dominick* was appointed the first Inquisitor in *Gallia Narbonensis*: But whether he received his Office of Inquisitor from *Arnaldus*, Abbot of *Cisteaux*, Legate of the Apostolick See, in *France*, or immediately from the Pope, is disputed by the Popish Writers. Those who endeavour to reconcile the Difference, say that *Dominick* was first appointed

De Succes. Eccles. in Occidente, c. 9. §. 9.

* That Part of *France*, which anciently contained the Provinces of *Savoy*, *Dauphine*, *Province* and *Languedoc*.

Inqui-

Inquisitor by the Legate, and afterwards confirmed by the Pope himself. *Ludovicus a Paramo* seems to be of the same Opinion; for he says, that Father *Dominick* first discoursed of his Design, to introduce the Inquisition, to the Abbot of *Cisteaux*, at that Time Apostolick Legate in *France*; and that the Abbot appointed him Inquisitor, at the same Time referring the Affair to the Pope. After this he was confirmed in the Office by a Cardinal Legate in that Kingdom; and at length, after the Conclusion of the *Lateran* Council, *Ann.* 1216. he was made Inquisitor by Authority of the Pope's Letters, a Copy of which some Authors affirm they have actually seen. *lib.* 2. *tit.* 1. *cap.* 1. *n.* 13.

"When *Dominick* had received these Letters, upon a certain Day, in the "Midst of a great Concourse of People, he declared openly in his Sermon, "in the Church of St. *Prullian*, that he was raised to a new Office by the "Pope; adding, that he was resolved to defend, with his utmost Vigour, "the Doctrines of the Faith; and that if the Spiritual and Ecclesiastical "Arms were not sufficient for this End, 'twas his fixed Purpose to call in "the Assistance of the Secular Arm, to excite and compel the Catholick "Princes to take Arms against Hereticks, that the very Memory of them "might be entirely destroy'd." It evidently appears that *Dominick* was a bloody and cruel Man. This is more than obscurely intimated by the *Dominican*, *Camillus Campegius*, Inquisitor General of *Ferrara*, who after having recited the Letters of *Dominick*, in which he declares the Penances he enjoined to *Pontius Rogerii*, adds: *I have the more willingly annexed to this Treatise of Punishments these Letters of St.* Dominick *our Father, who first exercised the Office of Inquisitor, that all may be able to make a Comparison between the ancient Severity made use of to stop the Progress of these Crimes, and the present Moderation and Tenderness of this holy Tribunal.* These Letters he wrote, as *Ludovicus a Paramo* observes, when as yet he acted as Inquisitor only by the Authority of the Abbot of *Cisteaux*, and these Letters *Paramus* produces to prove, that *Dominick* assumed this Office, *from a Resolution to punish Hereticks with such Severity, as that by the Fear of Punishment he might deter others from the like Wickedness.* He was born in *Spain* in the Village *Calaroga* in the Diocese of *Osma*. His Mother, before she conceived him, is said to have dreamed, that she was with Child of a Whelp, carrying in his Mouth a lighted Torch; and that after he was born, he put the World in an Uproar by his fierce Barkings, and set it on Fire by the Torch that he carried in his Mouth. His Followers interpret this Dream of his Doctrine, by which he enlightned the whole World; whereas others, if Dreams presage any thing, think that the Torch was an Emblem of that Fire and Faggot, by which an infinite Multitude of Men were burnt to Ashes.

c. 2. *n.* 4.

c. 20. Zanchini.

l. 2. *t.* 2. *c.* 2. *n.* 5.

In the Beginning the Inquisitors had no proper Tribunal; they only enquired after Hereticks, their Number, Strength and Riches. After they had detected them, they informed the Bishops, who then had the sole Power of Judging in Ecclesiastical Affairs, and sometimes urged them, that they should anathematize, and otherwise punish the Hereticks they had discovered to them. Sometimes they stirred up Princes to take Arms against Hereticks;

sometimes

ſometimes the People. Such of them as engaged in this Work they ſigned with the Croſs, and encouraged them in their Expeditions againſt Hereticks. Farther than this, *Dominick*, who was of a bloody fierce Temper, that he might the more effectually extirpate all Hereſy, invented a Method, how, under the Appearance of Mercy and Tenderneſs, he might exerciſe the moſt outragious Cruelty, *viz.* the laying ſome certain Puniſhments, by way of wholſome Penance, upon ſuch as were converted to the *Roman* Faith, that being thus converted, they might be freed from Excommunication. For what could carry a greater Appearance of Mercy, than to abſolve and receive into Communion, thoſe Hereticks that returned to the Church, and voluntarily ſubjected themſelves to a wholſome Penance? But the Truth is, that this was the Height of Cruelty: For they ſubmitted to ſuch Penances, not from Conviction and Choice, but for fear of a more terrible Puniſhment. For the Fire and Faggot and other Puniſhments were ready prepared for ſuch as were not converted; and all that refuſed to ſubmit to theſe Penances, were pronounced excommunicate, convict, and obſtinate Hereticks, and as ſuch turned over to be puniſhed by the Secular Court. Beſides, theſe wholſome Penances were attended with the greateſt Miſeries to the Penitents; for either they were condemned to perpetual Impriſonment, there to wear out a wretched Life with the Bread and Water of Affliction, or were marked on their Back and Breaſt with Croſſes, that by theſe Marks of Infamy, they might be expoſed to the Reproaches and Abuſes of all Men; and were withal publickly whipped before the People, either in the open Street, or in the Church, and commanded many other Things, under the ſpecious Name of Penance; that by this Severity, which the Penitents were forced voluntarily to ſubmit to, that there might be an Appearance of Mercy in their Caſe, all others might be deterred from Hereſy.

CHAP. XI.

Of the Wars againſt RAYMOND, *Father and Son, Earls of* THOLOUSE.

IN the mean while the Pope, being intent on the Extirpation of Hereticks, excited all the Princes, that they ſhould not yield them any Refuge in their Dominions, but oppreſs them with all their Force. His principal Care was to expel them from the Country of *Tholouſe*, where the *Albigenſes* were very numerous. He was perpetually preſſing *Raymond* Earl of *Tholouſe* to baniſh them from his Dominions; and when he could not prevail with him, either to drive out ſo large a Number of Men, or to perſecute them, he ordered him to be excommunicated as a Favourer of Hereticks. He alſo ſent his Legate, with Letters to many of the Prelates, commanding them to make Inquiſition againſt

the heretical *Albigenses* in *France*, and to destroy them, and convert their Favourers. He also wrote to *Philip* King of *France*, that he should take Arms against those Hereticks, and use his utmost Force to suppress them; that by endeavouring to prevent the Progress of their Heresy, he might be under no Suspicion of being tainted with it himself. With the Pope's Legate there came also twelve Abbots of the *Cistercian* Order, preaching the Cross against the *Albigenses*, and promising, by the Authority of *Innocent*, a plenary Remission of all Sins, to all who took on them the Crusade. To these *Dominick* joined himself, and, as we have related, invented in that Expedition the Inquisition. The *Roman* Pontiffs had appointed this kind of War, which they called *Holy*, against the *Infidels* and *Saracens*, for the Recovery of the Holy Land; and because all who listed themselves in that Service wore the Sign of the Cross near their Shoulders, they were called Cross-bearers. They ordered it also to be proclaimed, that all who would enter into that Holy War, or piously contribute any Money for the Pay of the Soldiers, being confessed and penitent, according to the Rules and Methods fixed by the Divines, should obtain a full Indulgence and Remission of their Sins, and be absolved from the Sentences of Interdict, Suspension, and Excommunication, and especially from those they had incurred by firing or breaking into Churches, or by laying violent Hands on Ecclesiasticks, and from all other Sentences, except the Crime was so enormous, that they could not receive Absolution but immediately from the Apostolick See. They were allowed also, in the Time of a General Interdict, to be present at Divine Services, and to receive the Ecclesiastical Sacraments, in those Places where they were celebrated, by a special Indulgence from the Apostolick See, if they had been absolved before from their respective Sentences, as may be seen in the Bull of *Innocent* the Fourth, which begins, *Malitia hujus temporis*; that by the Hopes of this Immunity, Men might be excited to undertake these Expeditions. Accordingly Multitudes came together, and chearfully engaged in them, upon the Belief that they could in so easy a manner atone for their Sins. But now the Popes turned these Expeditions against Christians themselves, whom they loaded with the infamous Name of Hereticks, only because they were Enemies to their See, and the exorbitant Power of it. Some of these Cross-bearers *Dominick* sent into the Country of *Tholouse* against the *Albigenses*, to overcome those Hereticks by the material Sword, whom he could not cut off by the Sword of the Word of God.

Bzovius, a. 1204. §. 22.

[For this Fraternity *Dominick* framed certain Constitutions, by which they were to preserve and govern themselves. The first was, that such who entered into this Warfare, should take a solemn Oath, that they would endeavour with all their Might to recover, defend, and protect the Rights of the Church against all who should pretend to usurp them; and that in Defence of the Ecclesiastical Effects they would expose themselves and their own Estates, and take up Arms, as often as they should be called on to do it by the Prelate of the War, who was then *Dominick*, and afterwards the Masters General of the *Dominican* Order. *Dominick* farther exacted an Oath from

the Wives of these Cross-bearers, if any of them were married, that they would not perswade their Husbands to forsake this War for the Support of the Ecclesiastical Immunity; and promised them eternal Life for so holy a Service. And to distinguish them from other Laicks, he ordered that both the Men and their Wives should wear Garments of white and black Colours, tho' they differed as to their Make. They also repeated in the canonical Hours the Lord's Prayer, and the Salutation of the Angel so many Times, as was customary in any other common Wars. It was ordained also, that none should be admitted to this sacred Warfare, without a previous rigorous Examination of his Life, Manners and Faith, whether he had paid his Debts, forgiven his Enemies, made his Will, that he might be more ready for the Battle, and obtained Leave from his Wife before a Notary and proper Witnesses. The Wives of those who were slain in the Expedition promised they would never marry again. This kind of Warfare was at that Time very acceptable, so that many eagerly entered into it, that by the Slaughter of Hereticks, and the Plunder of their Goods, they might march away to Heaven.]

But because even these Cross-bearers did not fight against them with that continued Zeal and Fury, that the Pope and *Dominick* would have had them, the *Dominicans* excited larger Numbers to engage in this Warfare, by the Hopes of a plenary Indulgence. The Text which their Preachers used to chuse for this Purpose, was from *Psal.* xciv. 16. *Who will rise up for me against the Evil doers? Or who will stand up for me against the Workers of Iniquity?* And as they directed their whole Sermons to their own cruel Purpose, they generally thus concluded: *You see, most dear Brethren, how great the Wickedness of the Hereticks is, and how much Mischief they do in the World. You see also how tenderly, and by how many pious Methods the Church labours to reclaim them. But with them they all prove ineffectual, and they fly to the Secular Power for their Defence. Therefore our holy Mother the Church, tho' with Reluctance and Grief, calls together against them the Christian Army. If then you have any Zeal for the Faith, if you are touched with any Concern for the Honour of God, if you would reap the Benefit of this great Indulgence, come and receive the Sign of the Cross, and join your selves to the Army of the crucified Saviour.* There was indeed this Difference between those who took up the Cross against the *Saracens*, and those who did it against the Hereticks, that the former wore it on their Backs, and the latter on their Breasts. And that their Zeal might by no Means grow cool, there were certain Synodical Decrees made by the Authority of the Pope, by which the Presbyters were enjoined continually to excite and warm it. *Let the Presbyters continually and affectionately exhort their Parishioners that they arm themselves against the heretical* Albigenses. *Let them also enjoin, under the Pain of Excommunication, those who have taken the Cross, and not prosecuted their Vow, that they retake the Cross and wear it.*

Usser. *de Suc. cap.* 19. §. 5.

Usser. *ibid. c.* 10. §. 23.

Raymond Earl of *Tholouse* not being in the least diverted from his Purpose by the Sentence of the Legate, who having consulted with *Dominick*, had forbid him, as a Favourer of Hereticks, the Communion of holy Things, and of the Faithful, was excommunicated by a Bull of *Innocent* himself, as a Defender of Hereticks,

Raynold. *a.* 1208. § 15 &c Bzovius, *a.* 1208. §. 3, 4.

Hereticks, and all his Subjects absolved from their Oath of Allegiance; and Power was given to any Catholick Man, tho' without Prejudice to the Right of the supreme Lord, not only to act against his Person, but to seize and detain his Country; under this Pretence chiefly, that it might be effectually purged from Heresy by the Prudence of the one, as it had been grievously wounded and defiled by the Wickedness of the other.

The Earl, frighten'd by this Sentence, and especially by the terrible Expedition of the Cross-bearers against him, promised Obedience, and sought to be reconciled to the Church; but could not obtain it without delivering up to the Legate seven Castles in his Territories for Security of Performance, and unless the Magistrates of *Avignon*, *Nimes*, and *Agde*, had interceded for him, and bound themselves by an Oath, that if the Earl should disobey the Commands of the Legate, they would renounce their Allegiance to him. It was farther added, that the County of *Venaiscin* should return to the Obedience of the Church of *Rome*. The Manner of the Reconciliation of the Earl of *Tholouse*, was, according to *Bzovius*, thus: *The Earl was brought before the Gates of the Church of St.* Agde, *in the Town of that Name. There were present more than twenty Archbishops and Bishops, who were met for this Purpose. The Earl swore upon the holy Body of our Lord* Jesus Christ, *and the Relicks of the Saints, which were exposed with great Reverence before the Gates of the Church, and held by several Prelates, that he would obey the Commands of the holy* Roman *Church. When he had thus bound himself by an Oath, the Legate order'd one of the sacred Vestments to be thrown over his Neck, and drawing him thereby, brought him into the Church, and having scourged him with a Whip, absolved him. Nor must it be omitted, that when the said Earl was brought into the Church, and received his Absolution as he was scourging, he was so grievously torn by the Stripes, that he could not go out by the same Place thro' which he entered, but was forced to pass quite naked as he was thro' the lower Gate of the Church. He was also served in the same manner at the Sepulchre of St.* Peter *the Martyr at* New Castres, *whom the Earl had caused to be slain.* §. 6.

However, the vast Army of the Cross-bearers was not idle after the Reconciliation of the Earl of *Tholouse*, but every where attacked the Hereticks, took their Cities, filled all Places with Slaughter and Blood, and burnt many whom they had taken Captives. For in the Year 1209. *Biterre* was taken by them, and all, without any Regard of Age, cruelly put to the Sword, and the City it self destroy'd by the Flames. *Cæsarius* tells us, that when the City was taken, the Cross-bearers knew there were several Catholicks mixed with the Hereticks; and when they were in Doubt how to act, lest the Catholicks should be slain, or the Hereticks feign themselves Catholicks, *Arnold* Abbot of *Cisteaux* made Answer, *Slay them all, for the Lord knows who are his*; whereupon the Soldiers slew them all without Exception. Bzovius, *a.* 1209. §. 1. Raynaldus, *a.* 1209. §. 22.

Carcassone also was destroyed, and by the common Consent of the Prelates and Barons, *Simon* Earl of *Montfort*, of the Bastard Race of *Robert* King of *France*, [whom *Petavius* in his *Ration. Temp.* calls a Man as truly religious as valiant,] was made Governor of the whole Country, both of what was already conquered, and what was to be conquered for the future. The same Year he §. 23, 24.

took several Cities, and reduced them to his own Obedience. He cruelly treated his captive Hereticks, and put them to Death by the most horrible
§. 25. Punishments. *In the City* Castres *two were condemned to the Flames, and when a certain Person declared he would abjure his Heresy, the Cross-bearers were divided amongst themselves. Some contended that he ought not to be put to Death; others said 'twas plain he had been an Heretick, and that his Abjuration was not sincere, but proceeded only from his Fear of immediate Death. Earl* Montfort *consented that he should be burnt; alledging, that if his Conversion was real, the Fire would expiate his Sins; if otherwise, that he would receive a just Reward of his Perfidiousness.*
a. 1207. In other Places also they raged with the like Cruelty. One *Robert*, who had
§. 3. been of the Sect of the *Albigenses*, and afterwards joined himself to the *Dominicans*, supported by the Authority of the Princes and Magistrates, burnt all who persisted in their Heresy; so that within two or three Months he caused fifty Persons, without Distinction of Sex, either to be buried alive or burnt; from whence he gained the Name of *the Hammer of the Hereticks. Raynold* affirms, that it ought not to be doubted but that Pope *Innocent* ap-
a. 1210. pointed him to this Office. At *Paris*, one *Bernard*, with nine others, of
§. 10. whom four were Priests, the Followers of *Almerick*, were apprehended;
Bzovius, and being all had into a Field, were degraded before the whole Clergy and
a. 1209. People, and burnt in the Presence of the King.
§. 11.
a. 1211. The Year following there was undertaken a new Expedition of the Cross-
§. 9. bearers against the *Albigenses*. They seized on *Alby*, and there put many to Death. They took *la Vaur* by Force, and burnt in it great Numbers of the *Albigenses*. They hanged *Aymerick* the Governor of the City, who was of a very noble Family. They beheaded eighty of lesser Degree, and did not spare the very Women. They threw *Girarda*, *Aymerick*'s Sister, and the chief Lady of that People, into an open Pit, and cover'd her with Stones. Afterwards they conquered *Carcum*, and put to Death sixty Men. They also seized on *Pulchra Vallis*, a large City near *Tholouse*, and burnt in it 400 *Albigenses*, and hanged 50 more. They took *Castres de Termis*, and in it *Raymond de Termis*, whom they put in Prison, where he dy'd, and burnt in one large Fire his Wife, Sister, and Virgin Daughter, with some other noble Ladies, when they could not perswade them, by Promises or Threats, to embrace the Faith of the Church of *Rome*.

The Earl of *Tholouse*, terrified with these Successes of *Simon Montfort*, and fearing for himself and Country, raised a great Army, and had Forces sent him from the Kings of *England* and *Aragon*, to whom he was related. For he married *Joan*, Sister of the King of *England*, who had been formerly Queen of *Sicily*, and had by her a Son named *Raymond*. After her Death he married *Eleanor*, the Sister of *Peter* King of *Aragon*. But this Army was defeated with a great Slaughter by the Cross-bearers under the Command of Earl *Montfort*, and the Earl of *Tholouse* driven from his Dominions. About the Beginning of the Year 1215. in a Council of certain Archbishops and Bishops near *Montpellier*, held by the Pope's Legate, *Montfort* was declared Lord of all the Countries he had conquered, and the Archbishop of *Ambrun* was

sent

ſent to the Pope, to get him to ratify the Council's Sentence, and *Lewis*, eldeſt Son of *Philip* the *French* King, confirmed him in the Poſſeſſion.

During theſe Tranſactions Pope *Innocent* III. in the Year of our Lord 1215. called the famous *Lateran* Council, where *Dominick* was preſent, in which there were many Decrees againſt Hereticks, which were afterwards inſerted in the Decretals of *Gregory*, *Tit. de Hæret. cap.* 13. To this Council fled the Earl of *Tholouſe*, with his Son *Raymond*, being diſpoſſeſſed of his Dominions by *Montfort*. *Guido*, the Brother of Earl *Montfort*, appeared againſt him, and after many Debates, Earl *Raymond* is declared, *to be for ever excluded from his Dominions, which he had govern'd ill, and ordered to remain in ſome convenient Place out of his own Lands, in order to his giving ſuitable Proofs of his Repentance. Four hundred Marks of Silver were aſſigned him yearly out of his Revenues, as long as he behaved himſelf with an humble Obedience. But as all bore Teſtimony* to his Wife, *that ſhe was a good Catholick Lady*, ſhe was left in Poſſeſſion *of the Lands of her Dowry, provided ſhe cauſed the Commands of the Church to be obſerved, and ſuffered none to diſturb the Affairs of Peace or Faith.* However, all that the Croſs-bearers had taken was adjudged to *Montfort*; *and as to the reſt, which they had not ſeized on,* the Church decreed *it ſhould be kept by proper Perſons, to preſerve the Peace, and the Faith, that there might be ſome Proviſion for the only Son of the Earl of* Tholouſe, *according as he ſhould deſerve it in Part or Whole, after his coming to Age.*

Upon this Decree of the Synod *Raymond* went into *Spain*, and his Son *Raymond* into *Provence*, where, with the Help of many auxiliary Forces, he made War on *Montfort*. He recovered ſome Part of his Dominions, and even the City of *Tholouſe* it ſelf. Whilſt *Montfort* was endeavouring to retake it with a large Army, he was killed by the Blow of a Stone, and thereby the City delivered from the Siege. Thus *Raymond* recover'd by Arms his Father's Earldom, who died in the Year 1221. and was ſucceeded by this his Son, who could not obtain, with all his Endeavours, a Chriſtian Burial for his Father.

As Things thus took a different Turn, ſometimes according to the Pope's Wiſh, at other Times contrary to it, he preſſed the Inquiſition as the moſt effectual Remedy for the Extirpation of Hereticks. *Bzovius* relates, that at this Time many Hereticks were burnt in *Germany*, *France*, and *Italy*, and that in this Year no leſs than 80 Perſons were apprehended at once in the City of *Straſbourg*, of whom but a very few were declared innocent. *If any of theſe denied their Hereſy, Friar* Conrade *of* Marpurg, *an Apoſtolical Inquiſitor of the Order of* Predicants, *put them to the Trial of the Fire Ordeal, and as many of them as were burnt by the Iron, he delivered over to the Secular Power to be burnt as Hereticks; ſo that all who were accuſed, and put to this Trial, a few excepted, were condemned to the Flames.* (*a.* 1215. §. 7.)

About that Time Pope *Honorius* ſent a Reſcript to the Biſhop of *Boulogne*, anathematizing all Hereticks, and Violaters of the Eccleſiaſtical Immunity, in theſe Words: *We excommunicate all Hereticks of both Sexes, of whatſoever Sect, with their Favourers, Receivers, and Defenders; and moreover, all thoſe who cauſe any Edicts or Cuſtoms, contrary to the Liberty of the Church, to be obſerved, unleſs* (Bzovius, *a.* 1218. §. 11.)

they remove them from their publick Records within two Months after the Publication of this Sentence. Also we excommunicate the Makers, and the Writers of those Statutes, and moreover all Governors, Consuls, Rulers, and Counsellors of Places, where such Statutes and Customs shall be published or kept, and all those who shall presume to pass Judgment, or to publish such Judgments, as shall be made according to them.

Raynald. *a.* 1221. §. 41.

In the mean while, after *Raymond* had recovered his Father's Dominions, the Inquisition was banished from the Country of *Tholouse*. But Pope *Honorius* III. left no Stone unturned to render the Earl obnoxious. He took Care to let him know by his Legate, that he should be stripp'd of his Dominions as his Father was, unless he returned to his Duty; and by Letters bearing Date the 8th of the Calends of *November*, he confirmed the Sentence of the Legate, by which he deprived him of all his Right in every Country that had ever been subject to his Father; and to give this Sentence its full Force, he commanded the *Dominicans*, and gave them full Power to proclaim an holy War, to be called the * Penance War, against the Hereticks. A vast Number met together at the Sound of this horrid Trumpet, and entred into this holy Society, as they believed it, wearing over a white Garment a black Cloak, and receiving the Sacrament for the Defence of the Catholick Faith.

Bzovius, *a.* 1221. §. 8.

* *de pœnitentia.*

And that the Pope might more effectually subdue the Earl of *Tholouse*, he sent his Letters to King *Lewis*, who had succeeded his Father *Philip*, in which he exhorts him to take Arms against the *Albigenses* in this manner. *'Tis the Command of God*, If thou shalt hear say in one of thy Cities, which the Lord thy God hath given thee to dwell there, saying, Let us go and serve other Gods, which ye have not known, thou shalt smite the Inhabitants of that City with the Edge of the Sword, and shalt burn with Fire the City. *Altho' you are under many Obligations already to God, for the great Benefits received from him, from whom comes every good Gift, and every perfect Gift, yet you ought to reckon your self more especially obliged couragiously to exert your self for him against the Subverters of the Faith, by whom he is blasphemed, and manfully to defend the Catholick Purity, which many in those Parts, adhering to the Doctrine of Devils, are known to have thrown out.*

Raynald. *a.* 1223. §. 41.

Usser. *de Success.* c. 10. §. 46. & *seq.*

During this there met a Synod at *Paris*, by the Pope's Command, about the Affair of the *Albigenses*, at which the Pope's Legate was present, with two Archbishops and twenty Bishops, where *Amalric*, Son of *Simon Montfort*, demanded the Restitution of the Lands of *Raymond* Earl of *Tholouse*, which had been adjudged to him and his Father by the Pope and *French* King. *Raymond* defended himself before the Legate, affirming his Country to be free from Heresy. He entreated the Legate to come to the several Cities of his Dominions, to enquire of all Persons the Articles of their Belief, that if he found any holding Opinions contrary to the Catholick Faith, he might punish them according to the Rigour of Justice: Or if he should find any City rebelling against him, he would use his utmost Power to compel it to make proper Satisfaction. For himself he offered, that if he had offended in any thing, which he doth not remember to have done, he would give full Satisfaction to God and Holy Church, as became

became a faithful Christian, and if the Legate pleased, would submit to an Examination of his own Faith: But this the Legate contemn'd; nor could the Catholick Earl (they are the Words of *Matthew Paris*) find any Favour, unless he would abjure his Patrimony, and renounce it for himself and his Heirs. So that an Expedition of the Cross-Bearers was again resolved on, against Earl *Raymond*, in which *Lewis* the *French* King engaged, by the Persuasions of *Honorius* III. and many Earls and Prelates, for Fear of the Pope, who had rather have been absent, as thinking it unworthy to oppress a faithful Man and good Christian. And as *Raymond* held several cautionary Lands of the King of *England*, *Honorius* sent him prohibitory Letters, to prevent his making War on the *French* King, or sending Assistance to *Raymond*, for the Defence of them, in these Words:

Make no War, either by your self, or your Brother, or any other Person, on the said King, so long as he is engaged in the Affair of the Faith, and Service of Jesus Christ; least by your obstructing the Matter, which God forbid, the King, with his Prelates and Barons of France, *should be forced to turn their Arms from the Extirpation of Hereticks to their own Defence. As for us, since we could not excuse such a Conduct, and Instance of great Indevotion, we could not impart to you our paternal Favour, which otherwise, in all proper Seasons, should never be wanting to you. And as we are not only ready to do you Justice, but even Favour, as far as God enables us, we have taken Care, that whatever becomes of Hereticks and their Lands, your Rights, and those of other Catholicks, shall be safe, according to the Decrees of the foresaid Council.* Raynald. a. 1226. §. 24.

So that the *French* King undertook the Expedition, and with a large Army, sat down first before *Avignon*. But the City was valiantly defended, and E. *Raymond* did much Damage to the Besiegers, killing many of them. A great Part of the Army also, with the King himself, died of the Disentery and other Distempers. The Pope's Legate concealed the King's Death for some Time, least the whole Army should be forced to break up with Disgrace from the Seige of a single City, without being able to take it. At length, when the City was not to be conquered by Force, the Legate had recourse to Fraud, setting on Conferences for Peace, and giving Hostages for Security. And when he could not persuade the Deputies of the City to yield it up to him, he desired that they would admit him, with the Prelates who were with him, into the City, pretending that he would examine into the Faith of the Inhabitants; and affirming with an Oath, that he put off the Siege of the City for no other Cause, but to seek the Welfare of their Souls. He added, that the Cry of their Infidelity had ascended to the Pope; and that he would enquire whether they had done altogether according to the Cry which was come up unto him. The Citizens trusting to the Legate, and suspecting nothing of Fraud, agreed under the forementioned Condition, and the Security of an Oath on both Sides, that he, with the Prelates and their Servants, should enter the City. But the *French*, as it had been privately agreed, perfidiously followed them, and violently rushed through the Gates as they were opened, and in Defiance of their Oath, took the Citizens, bound them in Chains, plun-

dered the City, killed many of the Inhabitants; and having thus, by Treachery, obtained the Victory, broke down the Towers and Walls of that noble City. Thus *Matthew Paris* relates this Story.

After *Avignon* was thus treacherously taken, they bent all their Forces against *Tholouse*. That City sustained the Siege for a long while, E. *Raymond* omitting nothing that became the most valiant Commander: But at length it was forced to surrender. As for *Raymond*, after several Conferences, he was forced to go to *Paris*, where he obtain'd Peace upon these Conditions; That as *Tholouse*, and the Bishoprick of *Tholouse* was given to him only for his Life, he should not leave them to any one of his Heirs; that none of them, or his Daughters, should, after him, claim any Right, excepting those only who descended from his only Daughter *Joan*, and the Brother of King *Lewis*, Lord *Alphonsus*: That he should abjure his Heresy, and promise to be ever after in Subjection to the See of *Rome*: That he should expel all Hereticks, nor by any Means defend them: That he should take the Cross, and at his own Expence war five Years against the *Saracens*, and other Enemies of the Faith and Church: That he should pay 20000 Marks of Silver, and yield up to the King and Church, all the Country beyond the Bishoprick of *Tholouse* to the East, on this Side and the other Side the *Rhone*. After this he surrender'd himself at the *Louvre*, to the King's Guards, till his Daughter, and five of his best fortified Castles were delivered up to his Messengers, and the Walls of *Tholouse* entirely demolished. When all this was done, in the Presence of two Cardinals of the Church of *Rome*, one Legate in *France*, and the other in *England*, he was led to the high Altar, in a Linen Garment, and with naked Feet, and absolved from the Sentence of Excommunication. *Bernard*, in his *Cronicon* of the *Roman* Pontiffs, relating this History, says, as *Bzovius* tells us; *How holy a Sight it was, to see so great a Man, who for a long while could resist so many and great Nations, led naked in his Shirt and Trouses, and with naked Feet, to the Altar.*

Raynald. *a.* 1228. §. 3. Bzovius, §. 28.

Usser. *de Succes. cap.* 10. §. 58.

CHAP. XII.

Several COUNCILS *held, and the Laws of the Emperor* FREDERICK II. *by which the Office of the* INQUISITION *was greatly promoted.*

THE Earl of *Tholouse* being thus subdued, severer Laws were enacted against Hereticks. *Raymond* himself made many Laws against them; ordered all the Hereticks in his Country to be apprehended; and that the Inhabitants of every City or Castle should pay one Mark for every Heretick, to the Person who took him. *Lewis* also, the *French* King, put forth a Constitution

Bzovius, *a.* 1228. §. 6.

ſtitution againſt Hereticks, in which he commands the immediate Puniſhment of all who ſhould be adjudged Hereticks by the Biſhop, or any other Eccleſiaſtical Perſon. He deprives all their Favourers of the Benefit of the Laws; commands their Goods to be confiſcated, and never to be reſtored to them or their Poſterity; and that the *Ballive* ſhould pay two Marks of Silver to any one that apprehended an Heretick.

And now the Pope laboured with all his Might, to confer a greater Power on the Inquiſitors, and to eſtabliſh for them a Tribunal, in which they might ſit, and pronounce Sentence of Hereſy and Hereticks, as Judges delegated from himſelf, and repreſenting his Perſon. But to this there were in the Beginning great Obſtacles, the People not eaſily admitting that new Tribunal, rightly judging that great Numbers would be deſtroyed by the Informations of the Inquiſitors. So that they were very ill looked on by all, even before they had obtained the Power of Judging: For the Magiſtrates and wiſer Part of the People, foreſaw what muſt happen, upon their being inveſted with ſuch an Authority; and were far from thinking it ſafe, that their Fortunes and Lives, and thoſe of their Fellow-Citizens, ſhould be expoſed to the Pleaſure of the Popes Emiſſaries, and that they ſhould be made entirely obnoxious to their Tyranny.

But upon the Conqueſt of the *Albigenſes*, and the taking their Countries and Cities, the Pope cauſed the Inquiſition to proceed with greater Succeſs. For in *France*, as *Pegna* obſerves in *John Calderin*'s Treatiſe about the Form of Proceeding againſt Hereticks; *There were held ſeveral Councils at diverſe Times and Places, of the* French *Archbiſhops, about the Method of Proceeding againſt, and puniſhing Hereticks. In the Year of our Lord,* 1229. *there was a Council at* Tholouſe, *where many Statutes were made; which were publiſh'd there by* Romanus, *Cardinal Deacon of St.* Angelus, *Legate of the Apoſtolick See. In the Year* 1235. *another Council was held at* Narbonne, *of the* French *Prelates, in which this Affair was more fully diſcuſſed than at* Tholouſe. *Afterwards,* An. 1246. *there was another Provincial Council at* Biterre, *when theſe Things were more particularly ſettled, than in the two former. The Acts of theſe Councils were not diſcovered for a long while, but found ſome Time ſince in the* Vatican *Library, and in an old MSS. Parchment, which was brought to* Rome *from the Inquiſition at* Florence. *Pegna* adds, that he would ſoon publiſh theſe Councils, with his Comments on them; and ſays they are very uſeful, and ſuited to the Office of the Inquiſitors of heretical Pravity. But I could never yet learn whether they have ſeen the Light.

Theſe were the Tranſactions in *France*. In *Rome*, about the Year 1230. *Raymond* of *Pegnaforte*, who was a *Dominican*, compiled, by the Command of Pope *Gregory* IX. the Books of *Decretals*, into which he collected all the Laws of the Councils and Popes againſt Hereticks. Afterwards *Boniface* VIII. ordered a Sixth Book of the *Decretals* to be wrote. After this were added the *Clementines* and the *Extravagantes*, made on various Occaſions, that the Inquiſitors might want nothing for the full Exerciſe of their Office: And as the *Valdenſes* had ſtolen into *Arragon* and *Navarre*, chiefly from the neighbouring

bouring *Languedock*, there was a Synod held at *Tarracona*, about the Year 1240. in which there were many Things enacted concerning Hereticks and their Punishments.

Even the Emperor *Frederick* II. himself, put forth many Laws against Hereticks, their Accomplices and Favourers, at *Padua*, by which he greatly promoted the Inquisition. In the first, which begins *Commissi nobis*, he ordains, that those Hereticks who were committed by the Church to the secular Court, should be put to Death without Mercy: That Converts through Fear of Death, should be imprisoned: That Hereticks, with their Abettors, where-ever they were found, should be kept in Custody till they were punished according to the Sentence of the Church: That Persons convict of Heresy, who had fled to other Places, should be taken up: That such as were relapsed should be punished with Death: That Hereticks and their Favourers, should be deprived of the Benefit of Appeal; that their Posterity, to the second Generations, should be incapable of all Benefices and Offices; but that their Heirs should be indemnified if they discovered their Parents Wickedness. And lastly, he takes under his imperial and special Protection, the predicant Friars, deputed for the Faith against Hereticks, in all the Parts of the Empire, and all others who were sent for, and should come for the Judgment of Hereticks, commanding the Magistrates severely to punish all convict Hereticks, after Condemnation, by the Ecclesiastical Sentence. In his second Edict, which begins, *Inconsutilem tunicam*, after expressing great Abhorrence of the Crime of Heresy, he commands all impenitent Hereticks to be burn'd with Fire, and the Favourers of the *Patarenes* to be banished. In his third, beginning *Patarenorum receptatores*, he deprives the Children of Hereticks of their Honours, unless any of them should discover one of the Sect of the *Patarenes*; and puts Hereticks themselves under the Ban, confiscating their Estates. In his forth, beginning *Catharos*, he condemns all suspected Persons as Hereticks, if they do not purge themselves within a Year; commands his Officials to exterminate Hereticks from all Places subject to them; orders that the Lands of the Barons shall be seized by the Catholicks, if they do not purge them from Hereticks, within a Year after proper Admonition, and ordains many Punishments against the Favourers of Hereticks, and the most severe ones against all who apostatise from the Faith: But as the Office of the Inquisition was very much promoted by these Laws, 'tis worth while to give them entire.

The first is this:

FREDERICK, *by the Grace of God, Emperor of the* Romans, *and always August, King of* Jerusalem, *and* Sicily, *to his beloved Princes, the venerable Archbishops, Bishops, and other Prelates of the Church; to the Dukes, Marquisses, Earls, Barons, Governors, Scultets, Burgraves, Advocates, Judges, Ministers, Officials, and all other his faithful Subjects, throughout the whole Empire, to whom these Letters shall come, Greeting and all Happiness.*

The Care of the Imperial Government, committed to us from Heaven, and over which we preside, by the Gift of God, and the Height of our Dignity, demand the material Sword, which is given to us separately from the Priesthood, against the Enemies of the Faith, and for the Extirpation of heretical Pravity, that we should pursue, with Judgment and Justice, those Vipers and perfidious Children, who insult the Lord and his Church, as though they would tare out the very Bowels of their Mother. We shall not suffer these Wretches to live, who infect the World by their seducing Doctrines, and being themselves corrupted, more grievously taint the Flock of the Faithful. We therefore appoint and ordain, that Hereticks, of whatsoever Name, throughout our Empire, being condemned by the Church, and delivered over to the secular Power, shall be punished according to their Deserts. If any of them, after their being apprehended, shall return to the Unity of the Faith, through the Fear of Death, let them suffer perpetual Imprisonment, and do Penance according to the Canons. Farther, whatsoever Hereticks shall be found in the Cities, Towns, or other Places of the Empire, by the Inquisitors appointed by the Apostolick See, or other orthodox Persons zealous for the Faith; let those who have Jurisdiction there, seize their Persons, at the Instance of the Inquisitors and other Catholicks, and keep them in strict Custody, till being condemned by the Censure of the Church, they perish by an accursed Death, for their denying the Sacraments of Faith, and Life. We condemn also to the same Punishment, all whom the Craft of the deceitful Enemy shall employ as Advocates, unlawfully to defend the Error of these Hereticks, especially since those who are defiled with such Wickedness, are equal in Guilt; unless they desist upon proper Admonition, and wisely consult the Preservation of their Lives. We subject also to the same just Punishment, those, who being convicted of Heresy in any one Place, fly to another, that they may more safely pour out the Poison of their heretical Pravity; unless in this Instance, they have a Testimony in their Favour from those who have been converted to the Faith from the same Error, or from those who have convinced them of their Heresy, which in this Case we allow may lawfully be done. We condemn also to Death, all such Hereticks, who being brought to Trial, shall abjure their Heresy when in extreme Danger of Life, if afterwards convicted of having dissembled and taken a false Oath, and of having willingly relapsed into the same Error, that thereby their vile Dissimulation may be more destructive to themselves, and their Falsehood meet with its deserved Punishment. We farther deprive Hereticks, their Receivers and Favourers, of all Benefit of Proclamation and Appeal; being willing that every Seed of this heretical Stain should, by all Means, be extirpated out of our Empire, in which the true Faith ought ever to be preserved. Moreover, as we have received greater Favours from the Divine Mercy, and are exalted to an higher Dignity than the Children of Men, we ought to pay the more solemn Services of Gratitude. If then we manifest our Displeasure against those who contemn us, and condemn Traytors in their Persons, and by stripping their Children of their Inheritance, how justly shall we be more incensed against those who blaspheme the Name of God, and revile the Catholick Faith, and deprive, by our Imperial Authority, all Hereticks, their Receivers, Abettors and Advocates, and their Heirs and Posterity, even to the second Generation, of their temporal Estates, publick Offices and Honours, that they may continually mourn at the Remembrance of their Fathers Crimes,

and certainly know that God is a jealous God, punishing the Iniquities of the Fathers upon their Children. Not that we would exclude from our Mercy those, who keeping themselves free from the Heresy of their Fathers, shall discover their secret Perfidiousness: For whatever Punishment their Guilt may receive, we would not subject their innocent Children to it. We hereby also declare our Pleasure, that we appoint the Friars Predicant of the Order of Predicants, to take Care of the Faith against Hereticks, in all Parts of our Empire. We also take under our special Imperial Protection, all others whatsoever, that shall come to judge Hereticks, and grant them Leave to go, stay or return, except those who are under the Ban of the Empire; and Will that none shall injure them; but that they shall have the Assistance and Recommendation of all the Faithful in the Empire. We farther command all, and singular of you, that wheresoever, and to whomsoever of you they shall come, ye receive them kindly, and keep their Persons safe from all the Attempts of Hereticks, who may lay in wait for them, and grant them your Advice, safe Conduct and Assistance in the Execution of Affairs, so acceptable before God. And as to all Hereticks they shall discover to you in their Jurisdiction, let them be apprehended, and kept in safe Custody, till being ecclesiastically condemned, they shall suffer the deserved Punishment; as knowing that in so doing, their Obedience will be pleasing to God, and acceptable to us, viz. *in assisting, with their utmost Endeavours, the said Friars to root out of all the Parts of our Empire, this new unheard of, and infamous heretical Pravity. And if any one shall be negligent and remiss in this Matter, let him know that he shall be unprofitable before God, and justly incur our highest Displeasure. Dated at* Padua, Feb. 22.

The second Constitution of the Emperor *Frederick*.

FREDERICK, *by the Grace of God,* &c. *The Hereticks are endeavouring to rent the seamless Coat of our God, and raging with deceitful Words, which declare their schismatical Intention, strive to divide the Unity of the indivisible Faith it self, and to separate the Sheep from the Care of* Peter, *to whom they were committed, by the good Shepherd, to be fed. These are the ravenous Wolves within, who put on the Meekness of the Sheep, that they may the better enter into the Lord's Sheepfold. These are the worst Angels: These are Sons of Naughtiness, of the Father of Wickedness, and Author of Deceit, appointed to deceive simple Souls: These are Adders who deceive the Doves: These are Serpents, which crawl in privately, and under the Sweetness of Honey, vomit out Poison: So that whilst they pretend to administer the Food of Life, they sting with their Tail, and mingle the most bitter Poison into the Cup of Death. These Sects are not now known by their ancient Names; either that they may conceal themselves, or what is yet more execrable, not content to be called by a Name from amongst themselves, as the* Arians *were from* Arius, *and the* Nestorians *from* Nestorius; *they call themselves* Patarenes, *after the Example of the Martyrs, who suffered Martyrdom for the Catholick Faith, as though they themselves were exposed to Sufferings. These miserable* Patarenes, *who do not believe the eternal Trinity, by their complicated Wickedness offend against Three,* viz. *God, their Neighbours and Themselves. Against God, because they do not acknowledge the Son and the true Faith. They deceive their Neighbours; whilst under*

under the Pretence of ſpiritual Food, they miniſter the Delights of heretical Pravity. But their Cruelty to themſelves is yet more ſavage; ſince, beſides the Loſs of their immortal Souls, they expoſe their Bodies to a cruel Death; being prodigal of their Lives, and fearleſs of Deſtruction, which by acknowledging the true Faith they might eſcape, and which is horrible to expreſs, their Survivors are not terrified by their Example. Againſt ſuch Enemies to God and Man we cannot contain our Indignation, nor refuſe to puniſh them with the Sword of juſt Vengeance; but ſhall purſue them with ſo much the greater Vigour, as they appear to ſpread wider the Crimes of their Superſtition, to the more evident Injury of the Chriſtian Faith, and of the Church of Rome, *which is adjudged to be the Head of all other Churches; inſomuch that they have propagated their Falſehood from the Borders of* Italy, *and the Parts of* Lombardy, *where we are certainly informed their Wickedneſs doth more eſpecially abound, even to our Kingdom of* Sicily. *This being moſt highly offenſive to us, we ordain in the firſt Place, that the Crime of Hereſy, and of every condemned Sect, whatever be the Name of it, ſhall be reckoned amongſt the publick Crimes, as the ancient Laws declare. Yea, let ſuch know that they ſhall be deemed guilty of High Treaſon it ſelf. For as the Crime of Rebellion reaches to the Loſs of the Life and Goods of the Perſons condemned, and after they are dead, makes their Memory infamous; let the ſame be obſerved as to the aforeſaid Crime, of which the* Patarenes *are guilty. And that the Wickedneſs of thoſe who walk in Darkneſs, becauſe they are not Followers of God, may be diſcover'd, we Will, that if there be none to acccuſe them, ſtrict Enquiry be made by our Officials after ſuch who commit theſe Crimes, as well as after other Malefactors; and that all who are informed againſt, if there be but the leaſt Suſpicion, be examined by the Eccleſiaſticks and Prelates: And if they ſhall find them to err in any one Point from the Catholick Faith, we, by this our preſent Edict, condemn the* Patarenes, *and all other Hereticks, of every Kind and Name, to ſuffer Death, committing them to the Puniſhment of the Flames, that they may be burn'd alive in publick View; if after being paſtorally admoniſhed to forſake the dark Snares of the Devil, they will not acknowledge the God of Light. Nor are we diſpleaſed that herein we gratify them, ſince we are aſſured they can reap no other Fruit of their Error but Puniſhment only. For ſuch, let no one dare to interceed with us; if any ſhall preſume to do it, let him know he ſhall juſtly incur our Indignation. Dated at* Padua, Feb. 22.

The third Law is this:

We condemn the Receivers, Accomplices, and Abettors of the Patarenes, *to Forfeiture of their Goods and perpetual Baniſhment; who by their Care to ſave others from Puniſhment, have no Fear or Regard for themſelves. Let not their Children be in any wiſe admitted to Honours, but always accounted infamous; nor let them be allowed as Witneſſes in any Cauſes, in which infamous Perſons are refuſed. But if the Children of thoſe who favour the* Patarenes *ſhall diſcover any one of them, ſo that he ſhall be convicted, let them, as the Reward of their Acknowledgment of the Faith, be entirely reſtored by our imperial Favour, to their forfeited Honour and Eſtate.*

The fourth Constitution of the Emperor *Frederick.*

We condemn to perpetual Infamy, withdraw our Protection from, and put under our Ban, * *the* Puritans, Patarenes, Speromists, Leonists, Arnaldists, Circumcised, Passagines, Josepines, Garatenses, Albanenses, Francisci, Begardi, Commissi, Valdenses, Romanuli, Communelli, Varini, Ortuleni, *those of the black Water, and all other Hereticks of both Sexes, and of whatsoever Name; and ordain that their Goods shall be confiscated in such Manner, that their Children may never inherit them, since 'tis much more heinous to offend the eternal, than the temporal Majesty. But if any come under a bare Suspicion, unless by a proper Purgation they shall demonstrate their Innocence, at the Command of the Church, according to the Degree of their Suspicion, and the Quality of their Person, let them be accounted infamous by all, and as under our Ban: And if they remain such by the Space of one Year, we condemn them as Hereticks. We ordain also, by this our perpetual Edict, that our Officers and Consuls, or Rectors, whatever be their Offices, shall take a publick Oath for the Defence of the Faith; and that they will,* bona fide, *study to their utmost, to exterminate from all the Lands subject to their Jurisdiction, all Hereticks specified by the Church; so that whosoever shall at any Time henceforward be admitted into any Office, either perpetual or temporary, he shall be obliged to confirm this Edict by an Oath; otherwise let them not be owned as our Officers or Consuls, or any Thing like it. We pronounce all their Sentences null and void. But if any temporal Lord, having been cited and admonished by the Church, shall have neglected to purge his Dominions from heretical Pravity, after a Year elapsed from the Time of his Admonition, let his Country be seized by the Catholicks, and let them possess it without Opposition, and preserve it in the Purity of the Faith, by the Extirpation of Hereticks; saving the Right of the principal Lord, provided that he gives no Impediment or Obstruction. But let those who have no principal Lord be subject to the same Law. Furthermore, we put under our Ban, those who believe, receive, defend, and favour Hereticks; ordaining, that if any such Person shall refuse to give Satisfaction within a Year after his Excommunication, he shall be,* ipso jure, *infamous, and not admitted to any Kind of publick Offices, or the like, nor to chuse any Persons to them, nor to be a Witness. Let him also be* † *Intestable; and let him not have the Power of making a Will,*

* Certain Hereticks, whose Opinions are now almost equally unknown as the Reason of their Names.

† *Intestabilis* or *intestatus.* Let him be as a condemned and infamous Person. Some of the Councils had decreed, that every Man should distribute a certain Part of his Goods, the Tyth for Instance, to pious Uses, for the Redemption of his Soul; and whosoever did not this, was esteemed a wicked Wretch, that had no Care for his Salvation. On this Account the Priests were commanded to exhort dying Persons to wash away their Sins by sacramental Confession, and to dispose of some Part of their Effects in Favour of the Church or Poor, for the Salvation of their Souls. This grew so into Use, that the Absolution and Viaticum were denied to such as did not obey the Priests Orders in this Matter, as profligate Wretches, unmindful of their Salvation; insomuch that they made no Difference between a Person who died without making any such Disposition of his Effects, and one that slew himself, but accounted them both equally infamous. *Du Fresne in voce.* And therefore I think the Meaning of the Word *Intestabilis*, in this imperial Constitution, is, That he shall be deprived of the Liberty of making any such Disposition of his Effects to pious Uses, by Will, either to save his Soul, or prevent his being infamous.

nor of receiving any Thing by Succession or Inheritance. Furthermore, let no one answer for him in any Affair, but let him be obliged to answer others. If he should be a Judge, let his Sentence be of no Effect, nor any Causes be heard before him. If an Advocate, let him never be admitted to plead in any ones Defence. If a Notary, let no Instruments made by him be valid. Moreover we add, that an Heretick may be convicted by an Heretick; and that the Houses of the Patarenes, *their Abettors and Favourers, either where they have taught, or where they have laid Hands on others, shall be destroy'd, never to be rebuilt. Dated at* Padua, Feb. 22.

Paulus Servita tells us, in his History of the *Venetian* Inquisition, that these Laws were made in the Year of our Lord 1244. *Bzovius* and *Raynald* refer them to the Year 1225. But whatever was the Year of their Publication, 'tis certain that the Inquisition was greatly promoted by them; and that they were approved and confirmed, by some of the Popes Bulls, in which they were inserted.

CHAP. XIII.

The INQUISITION *introduced into* Aragon, France, Tholouse *and* Italy.

IN the Year of our Lord 1231. in the Month of *February*, some of the *Patarenes* were discovered in the City of *Rome*: Some of them who were impenitent were burn'd alive; others of them were sent to the Church of *Monte Casino*, and to *Cava*, to be there kept till they recanted. The Pope and *Roman* Senate made also severe Laws against Hereticks; and because the *Milaneze* was most infected with Heresy, *Frederick*, by an imperial Edict, commanded *all convicted of that Crime to be delivered over to the Flames, or their blasphemous Tongues to be cut out, if the keeping them alive would prove a Terror to others*; which *Raynald* affirms *to be a severe, but most just Edict.* Raynald. a. 1231. §. 13. §. 14, 15, 16.

This very Year Pope *Gregory* IX. gave a famous Instance of his Tyranny and Injustice. *Ezelinus*, Lord of *Padua*, and Vassal of the Emperor *Frederick*, constantly adhered to his Master, and faithfully took the Emperors Part against the Faction of the Pope. On this the Pope endeavoured to render him infamous by the Charge of Heresy; that under this specious Pretence he might expel him his Dominions: But as he failed in this, he stirred up his Children against him this very Year, that being delivered by them into his Power, he might punish him as he pleased. In order to this, he sent §. 20, &c. Letters to *Ezeline*, beseeching him to take better Measures, and admonished him to renounce his Errors. A Copy of these Letters he sent to his two Sons, young *Ezeline* and *Alterick*, who pretended to abhor their Father's Wickedness, and promised *Gregory* of their own Accord, as *Raynald* relates, that they would deliver

deliver their miserable Father into the Hands of the Cenſors of the Faith, if he perſiſted obſtinately in his Wickedneſs, that they might not loſe the Inheritance of their Anceſtors. Upon this the Pope gave them to underſtand, that he had deferred coming to Extremities againſt their Father for their Sake, whom he believed ſtill to continue in the true Worſhip of God, that they might not be involved in his Miſfortune; for, ſays he, the Crime of Hereſy, like that of High Treaſon, diſinherits the Children. Then he beſeeches and commands them, that they would uſe all poſſible Means to deter their Father from Hereſy, and the Protection of Hereticks, and that if he deſpiſed their Admonitions, they would conſult their own Safety, by ſending him, as they had promiſed, before the Pope's Tribunal. *Nor is it to be wonder'd at,* adds *Raynald, that this Advice ſhould be given to the Sons againſt their own Father, ſince the Cauſe of the divine Being, of whom all Paternity is named, is to be preferred to all human Affections.*

Bzovius, *a.* 1232. §. 8. The Year following, 1232. the Inquiſition was brought into *Aragon*. The Biſhop of *Hyeſca* in *Aragon* was reported to err in Matters of Faith. Upon this *Gregory* committed the Office of making Inquiſition againſt him to Friar *Peter Caderite*, of the *Predicant* Order, and commanded *James* King of the *Aragons*, that he ſhould not ſuffer him, or thoſe whoſe Advice or Counſel he ſhould think fit to make uſe of, to be injured by any Means whatſoever. And
§. 9. that he might entirely extirpate Hereſy out of the Province of *Tarracon*, he gave Commiſſion to the Archbiſhop of *Tarracon* and his Suffragans, to conſtitute Inquiſitors againſt heretical Pravity of the Order of *Predicants*, by a Bull, in theſe Words: *Since the Evening of the World is now declining,* &c. *we admoniſh and beſeech your Brotherhood, and ſtrictly command you by our written Apoſtolick Words, as you regard the divine Judgment, that with diligent Care you make Enquiry againſt Hereticks, and render them infamous, by the Aſſiſtance of the Friars* Predicants, *and others whom you ſhall judge fit for this Buſineſs; and that you proceed againſt all who are culpable and infamous, according to our Statutes lately publiſhed againſt Hereticks, unleſs they will from the Heart abſolutely obey the Commands of the Church; which Statutes we ſend you incloſed in our Bull; and that ye alſo proceed againſt the Receivers, Abettors, and Favourers of Hereticks, according to the ſame Statutes. But if any will quite abjure the heretical Plague, and return to the Eccleſiaſtical Unity, grant them the Benefit of Abſolution according to the Form of the Church, and enjoin them the uſual Penance.* Amongſt the Inquiſitors appointed by them, Friar *Raymond Peciafortius Barninonenſis* was particularly famous, who wrote a Formulary, of the Manner of proceeding againſt Hereticks, beginning, *I believe that Hereticks,* &c. which was of ſo great Authority, that *Gregory* enjoined *William* Archbiſhop Elect of *Tarracon* to follow it in every thing. *Bzovius* gives us this Formulary entire, in his Annals, under the Year 1235. §. 5.

a. 1233. §. 8. In *France* there were not wanting ſome, who ſtirred up the Remains of the *Albigenſes*, ſo that, as *Bzovius* ſays, they very grievouſly oppreſſed the Inquiſitors and other Perſons, appointed by the Apoſtolick See for the Direction and Defence of the Catholick Faith *. *Gregory* IX. excited *Lewis* the King

* *i. e.* Perhaps they ſtrove to prevent ſo intolerable a Yoke being put on their Necks.

againſt

aginſt them, and adviſed him to join with the Archbiſhop of *Vienne*, ſome Perſon famous for his Wiſdom and Juſtice, who might know what pertained to the Eccleſiaſtick Right, what to the Royal, and what to the Rights of others. He alſo exhorted *Blanche* the Queen to perſwade her Son to perfect ſo righteous a Work. The ſame Author tells us, that the ſame Year, after great §. 24. ſtruggling, the Inquiſition was brought into *Tholouſe*, upon the firſt Day of the Feſtival of *Dominick*, but not without a great Tumult of the People, raiſed by a ſeditious Sermon of a ſilly Monk, upon Occaſion of the Death of a certain Matron of *Tholouſe*, who lived near the Convent of the *Predicants*, and had been hereticated before ſhe died. "When this came to be publick, Friar "*William Arnaldi*, an Inquiſitor, condemned her for an Heretick, and left "her to the ſecular Court. After this the Prior of the Friars *Predicants*, "*Fu Pontius*, of *Agde*, explaining thoſe Words of *Eccleſiaſtic*. xlviii. Elias "*the Prophet roſe as Fire, and his Word burnt like a Torch*, to a vaſt Company "that had met together about Nine, and adapting his Words to the Feſtival "and the preſent Buſineſs, turned himſelf, and bowed and bent to the *Eaſt* "and *Weſt*, to the *North* and *South*, and cried out towards every Part with as "loud a Voice as he could, repeating it oftentimes, *In the Name of God, and* "*his Servant St.* Dominick, *I do from this Hour renounce all Faith with Here-* "*ticks, their Favourers, and Believers.* Then he bawled out again: *I adjure* "*the Catholicks, in the Name of God, that laying aſide all Fear, they would give* "*their Teſtimony to the Truth:* And thus left off. About ſeven Days after this "Meeting many came in, by whoſe Means the Inquiſitors found out a Way "to the Receſſes of Darkneſs. Many of them abjured their Hereſy, ſome diſ-"covered others, and promiſed that at a proper Opportunity they would de-"tect more." However, the Inquiſitors were the Year following ejected from *Tholouſe*. But that they were reſtored there again, we learn from *Luke Wad-* Bzovius, *ding*, who in his Hiſtory of the Friars Minors, relates, that in the Year 1238. *a.* 1235. there were at *Tholouſe* Friar *William Arnaldi* of the *Predicant* Order, and *Sera-* §. 4. *phinus de S. Tiberio* of the Minors, Inquiſitors of Hereticks. The ſame Author gives us alſo the Epiſtle of *Gregory* IX. to the Deacon of the Order of Friars Minors in *Navarre*, and to Maſter *Peter de Leedegaria*, a Predicant Friar, living at *Pampilona*, which begins, *Rumor*, &c. in which, amongſt other Things, there is this: *Since therefore, according to the Office enjoined us, we are bound to root out all Offences from the Kingdom of God, and as much as in us lies to oppoſe ſuch Beaſts, we deliver into your Hands the Sword of the Word of God, which, according to the Words of the Prophet*, Jer. xlviii. 10. *ye ought not to keep back from Blood; but, inſpired with a Zeal for the Catholick Faith, like* Phineas, *make dili-* Exod. *gent Inquiſition concerning theſe peſtilent Wretches, their Believers, Receivers, and* xxxii. 33. *Abettors, and proceed againſt thoſe who by ſuch Inquiſition ſhall be found guilty, according to the canonical Sanctions, and our Statutes, which we have lately publiſhed to confound heretical Pravity, calling in againſt them, if Need be, the Aſſiſtance of the ſecular Arm. Given at the* Lateran, 8 *Cal.* Maii, *An.* 12.

It can't be doubted that the Office of the delegated Inquiſition was in theſe Bzovius, Times introduced into *Italy*, becauſe the Inhabitants of *Placentia* drove out *a.* 1234. §. 25.

a. 1235. from their City Friar *Rowland* the Inquisitor in the Year 1234. The Year
§. 2. following the Pope committed the Office of the Inquisition to the Prior of St. *Mary ad gradus*, and to Friar *Radulph*, a Predicant at *Viterbo*, commissioning them to enquire out all Hereticks coming from other Cities, and to absolve from Censures such who abjured their Heresy, and reconciled themselves to the Church. Upon this Affair he gave Letters to both of them at *Perouse* the second of the Ides of *August*, and ninth Year of his Pontificate. But two Years after, 13 Cal. of *June*, and the eleventh of his Pontificate, at *Viterbo*, he sent Letters to the Provincial of *Lombardy*, a Predicant, by which he invested him with the Power of making Inquisitors. The Letters begin thus: *Ille humani*, &c. I think it worth while to give you them entire, because they very distinctly represent the Office given to the Inquisitors. After beginning with the usual Complaint of the Rise of Heresy, he
Bzovius, enjoins the Inquisitors their Office in these Words: *We therefore being wil-*
a. 1235. *ling to prevent the Danger of so many Souls, entreat, admonish, and beseech your*
§. 3. *Wisdom, and strictly command you by these Apostolick Writings, as you have any Regard for the Divine Judgment, that you appoint some of the Brethren committed to your Care, Men learned in the Law of the Lord, and such as you know to be fit for this Purpose, according to the Limitations of your Order, to be Preachers General to the Clergy and People assembled, where they can conveniently do it; and in order the more effectually to execute their Office, let them take into their Assistance some discreet Persons, and carefully enquire out Hereticks, and such as are defamed for Heresy. And if they find out either any really culpable, or such who are defamed, let them proceed against them according to our Statutes, lately published against Hereticks, unless upon Examination they will absolutely obey the Commands of the Church. Let them also proceed against the Receivers, Defenders, and Abettors of Hereticks, according to the same Statutes. But if any will abjure their heretical Defilement, and return to the Ecclesiastical Unity, let them have the Favour of Absolution according to the Form of the Church, and be enjoined the usual Penance. But let them be more especially careful, that such who appear to return, don't commit Impiety under the specious Pretence of Piety, and the Angel of* Satan *thus transform himself into an Angel of Light. Therefore let them peruse the Statutes which we have thought fit to publish concerning this Affair, that they may beware of their Subtlety, according to the Discretion given them of the Lord. And that they may more freely and effectually execute the Office committed to them in all the Premisses, we, confiding in the Mercy of Almighty God, and the Authority of the blessed Apostles* Peter *and* Paul, *remit for three Years the Penance enjoined them, to all who shall attend their Preaching for twenty Days in their several Stations, and likewise to those who shall give them Assistance, Counsel or Favour, in their Endeavours to subdue Hereticks, their Abettors, Receivers, and Defenders, in their fortified Places and Castles. And as for those who shall happen to die in the Prosecution of this Affair, we grant a plenary Pardon of all their Sins for which they are contrite in their Hearts, and which they confess with their Mouths. And that nothing may be wanting to the said Friars in their prosecuting the foresaid Business, we grant them, by the Tenour of these Presents, full Power of involving, under the Ecclesiastical Censure, all*

who contradict and rebel against them. We also grant them the Power to restrain, under the same Censure, from the Office of Preaching, which by no means belong to them, the questuary Predicants, whose Business it is simply to ask only charitable Supports, and to sell an Indulgence, if they should happen to have one.

In the same Year 1235. 17 Cal. *June*, Pope *Gregory* commanded the Bishop of *Huesca*, the Prior of *Barcelona*, and Friar *William Barbarano*, a Predicant, that they should not suffer the Office by any Means to relax, but should make Inquisition against Hereticks in the Province of *Tarracon*, and proceed according to the Canons. He also appointed Friar *Robert*, a Predicant, Inquisitor General against Hereticks in the whole Kingdom of *France*, and commanded him so to proceed in the Causes committed to him, as that the Innocent should not perish, and that Iniquity should not remain unpunished. The Bull of this Commission is extant, dated at *Perouse*, 10 Cal. of *September*, and 9th Year of his Pontificate; in which he prescribed the Form of Penance to such as abjured their Heresy, and ordained many other Things against Hereticks, and commanded the Provincial of the *Teutonick* Order of Predicants, that he should chuse fit Persons out of all *Germany*, to preach in every Place the Word of the Cross against the Hereticks and *Saracens*.

CHAP. XIV.

Concerning the first Hindrances to the Progress of the INQUISITION.

ALtho' the Pope perpetually pressed the Inquisition, yet it was with great Difficulty admitted. The Novelty of the Tribunal, by which the Laity were excluded wholly from all Judgment against Hereticks, greatly offended Men. They were indeed willing to leave to the Ecclesiasticks the Affair of Doctrine, to judge what was orthodox and what heretical. But they contended that the Judgment of their Persons belonged to them; *viz.* to determine whether any Person professed any Opinion, condemned by the common Judgment of the Clergy, and so became an Heretick; and especially they believed that it belonged to their Tribunal to pronounce Sentence against the guilty. Whereas they now found themselves wholly excluded from all Share in it by this new Tribunal, which the Pope was endeavouring every where to erect. All the Power left to the secular Magistrate was only to put to Death those who were condemned for Hereticks by the Ecclesiasticks, whereby he became a mere Slave to the Inquisitors, as being obliged to execute their Sentence with a blind Obedience, without any Cognizance of the Crime. This was the Case even of some, who otherwise were zealous Defenders of the Papal Authority. Amongst others, *Lewis* King of *France* made a Law, by which he commanded, that his Subjects, when cited before the Ecclesiastical Tribunals, should not appear to plead their Cause; and that if they were censured for Contumacy, the Goods of those who had passed the Censure should be

Raynald. *a.* 1236. §. 31, *&c.*

be seized by the Civil Magistrates, till it was recalled. The Pope thought this Law unjust, and injurious to the prelatical Authority. And therefore, that their Power might not be wholly suppressed by this Law, he sent Letters to the King, in which he set before him the Examples of *Charles* the Great, *Theodosius*, and *Valentine* the Emperors, who had greatly enlarged the Power of the Bishops, and yet had not obscured the Glory of their own Majesty, but rather increased it, and admonished him to repeal those Laws, which were contrary to the Ecclesiastical Liberty. He then put him in Mind of the Sentence pronounced by *Honorius*, by which the Makers of such Laws exposed themselves to Anathema's, unless they repealed them within two Months. The King, who was soliciting the Title of the obedient Son of the Church, yielded to the Papal Severity, and was entreated by *Gregory*, that he would finish the Work of cutting off all the Remains of Heresy in the Province of *Tholouse*, and compel Earl *Raymond* to perform his Promise.

§. 39, *&c.* The Earl had bound himself by an Oath to extirpate Heresy, and to lead an Army into the Holy Land, when he was at *Paris*, and had made Peace with the *French* King and the Church. But as there happen'd a Tumult at *Tholouse* against the Censors of the Faith, raised by those who were said to be infected with Heresy, and as there was not an immediate Stop put to it upon its first Beginning, the Earl seem'd to have broke his Promise, and to cherish Hereticks, because he did not restrain their Fury. Upon this the Pope severely rebuked him, and, amongst other Things, says: *That he had often hinder'd the Inquisition against Hereticks, by commanding to be observed in their Favour certain Forms, injurious to the Statutes of the Pope himself, and contrary to the Laws relating to the Inquisition of Hereticks; that he had suffered many Persons condemned as Hereticks to dwell publickly in his Country; that he had given Protection to others, who from other Places had fled to him; that his Counsellors and Servants were suspected and defamed of Heresy,* &c. *So that he had not been afraid to declare himself a Favourer, Receiver, and Defender of Hereticks, and their Abettors; and that tho' he had been admonished on these Accounts, he had not been careful to amend.* The Pope gave fresh Instructions to his Legate on this Affair, and ordered him to renew the *Tholouse* Statutes, to reject all the Edicts and Laws, which infringed the Ecclesiastical Liberty, to remove from the publick Counsels all suspected or defamed of Heresy. And by other Letters he was order'd to cause all the Houses of the *Tholouse* Hereticks to be demolished.

Raynald. *a.* 1236. §. 45. He also most earnestly entreated the *French* King, that he would use the Power committed to him by God, to compel the Earl and Consuls of *Tholouse* to amend the aforesaid Crimes, and do his utmost to extirpate Heresy. Then he admonished him to force the Earl to go to *Jerusalem* the next *March*, and send his own Brother *Alphonsus*, to whom *Raymond*'s Daughter had been betrothed, to administer the Affairs of the Earldom of *Tholouse*.

But the Tribunal of the Inquisition was not only hateful to the People by reason of its Novelty, but because the Inquisitors themselves render'd it hateful by their excessive Cruelty. Amongst these, one Friar *Robert* was not the least. He was surnamed *Bulgarus*, because he had cruelly persecuted and deliver'd

Du Cange *in voce Inquisitio.*

over

over to the Fire the *Valdenses*, then called *Bulgarians*; or, according to others, because he himself had been a *Bulgarian* or *Valdensian*, and upon his forsaking them, had enter'd into the Order of the *Dominicans*. He was Inquisitor of the Faith in the *Netherlands*, and *France*, a Man of an austere Temper, supported by the Royal Authority of *Lewis*, who commanded him to burn many who were infected with Heresy. But when afterwards the said Friar, according to *Mat. Paris*, under the Year 1236. abused the Authority given him, and transgressed the Bounds of Modesty and Justice, growing haughty, powerful and terrible, condemning to the same Punishment the Innocent as well as Guilty, he was put out of his Office by the Pope's Order, and shut up in perpetual Imprisonment. Afterwards *Fulco* exercised the same Severity in *Languedoc*, upon Account of whose excessive Cruelty, *Philip* the Friar sent in the Year 1301. certain Persons to enquire into his Mismanagement, and ordered that for the future those who were suspected of Heresy should be put in the Royal Prisons at *Tholouse*, and that the King's Subjects should not be detained by the Inquisitor's Decree, without the Bishop's Advice first had, and the Assistance of the Royal Seneschal. It would have been well if these two Persons only had exceeded the Bounds of just Judgment; but in Reality this was the Fault of most of them. And therefore, that the Minds of Men might not be too much exasperated, they added some of the Order of the Friars Minors to the Predicants, by their Gentleness to temper the others Rigour. This was actually done in the Year 1238.

Raynald. *a.* 1238. §. 60.

Du Cange, *ibid.*

And indeed this Tribunal of the Inquisition was the fittest Method in the World for Persons to oppress their Enemies, under the Pretence that they were infected with Heresy, and was abused to this Purpose by political Men as well as Ecclesiasticks, if it be true what *Raynald* writes of the Emperor *Frederick*, that he was greedy of Revenge, and used by various Pretences and Subornation of Crimes, to rage against those, whom he inwardly hated. To this Purpose he pretended great Zeal to cut off Hereticks, and appointed that in all the Provinces and Places of Note there should be a Judge, together with a Prelate, to take Cognizance of the Examination of Persons by Torture; and for this pious Precaution, as it appeared, he was commended by Pope *Gregory*. But he improved this to gratify his Revenge, causing many innocent Catholicks, who had incurred his Displeasure, to be accused of Heresy, and burnt alive, to the great Grief and Offence of all; insomuch that *Gregory* gravely admonished him, that he should endeavour to extirpate Hereticks, and not destroy the Catholicks.

a. 1233. §. 33, 34.

Apud Gregor. *Ep.* 243.

Ep. 244.

However, the *Roman* Pontiffs did much more insolently abuse their Power. For they were not afraid to brand with the Name of Heresy, and to proceed against as Hereticks, Kings and Princes, and even the Emperor himself, if they would not own their unbounded Power, and do every thing according to their Beck. Of this we have a famous Instance in the Emperor *Frederick*: He had made very severe Laws against Hereticks, greatly increased the Authority of the Inquisition, and in the Year 1236. having found some Persons at *Palence* infected with Heresy, he ordered eternal Marks of Infamy to be imprinted on their

Raynald. *a.* 1236. §. 60.

their Faces with a red hot Iron. And yet he could not escape the Pontiff's
a. 1239. Thunder: For in the Year 1239. Pope *Gregory* pronounced the Sentence of
§. 2, &c. Excommunication against him, and absolved all his Subjects from the Obligation of any Duty or Oath they were under to him. *Frederick* gave an abundant Answer, and purged himself of the Crimes objected to him in this Sentence, in which there was no mention of Heresy. But the Pope sent Letters to all the Prelates, and to the Christian Kings and Princes, in which he charged him with various Heresies; and, amidst others, with this: *That he constantly affirmed, that he could not be excommunicated by him as the Vicar of Christ; thus affirming that the Power of Binding and Loosing was not in the Church, delivered by our Lord to* Peter *and his Successors. Whilst he thus asserts Heresy, his own Argument concludes against himself, shewing by Consequence that he hath wrong Sentiments concerning the other Articles of the orthodox Faith, as he endeavours to take away that Privilege of Power granted by the Word of God to the Church, upon which the Faith is founded.*

Neither did the Pope rest till he had put in Execution the Sentence he had
a. 1245. pronounced against the Emperor *Frederick*. For in the Year 1245. *Innocent*
§. 1, &c. calls a Council in *France*, and therein condemns and excommunicates him, de-
§. 45. prives him of his Empire, and absolves his Subjects from their Oath of Fidelity, and by his Apostolick Authority firmly and strictly forbids all Persons to obey him any more as Emperor or King, and decrees that whosoever should from henceforward yield him Counsel, or Aid, or Favour, as Emperor or King, should be *ipso facto* excommunicated; and that the Electors of the Empire might freely proceed to the Choice of another Emperor, to succeed him in his Place.

a. 1246. *Innocent* IV. procured *Henry* Landgrave of *Thuringheim* to be created King of
§. 3. §. 17. the *Romans*, that by his Assistance he might drive *Frederick* from the Empire. *Frederick*, to purge himself of the Crime of Heresy, sent Letters to several Christian Princes, in which he defended himself against the Charge. He also commanded the Archbishop of *Palermo*, the Bishops of *Pavia*, *Monte Cassino*, and *Cava*, the Abbots of *Casanova*, *Roland*, and *Nicholas* a Predicant, diligently to enquire and examine him concerning his Sentiments as to the System of Christian Faith, and other Articles and Mysteries of Religion. This being done, and an Instrument drawn up, he appointed them his Procurators, that they should make Oath before the *Roman* Pontiff, that *Frederick* having been examined, rightly agreed with all Christians in every Article of Faith, and was at the farthest Distance from Heresy. They had a very unwelcome Reception, as being the Procurators of a Man expelled the Company of the Faithful, and for this Wickedness were said to deserve Punishment rather than Audience. But when they affirmed themselves to be the Messengers of a pure Christian Man, the Affair was ordered to be examined by three Cardinals of the *Roman* Church, who pronounced that Purgation trifling and void, inasmuch as they had no Authority to take his Examination. On this he commanded *Frederick*, that if he would regularly purge himself, and submit to a right Examination, he should repair to the Apostolick See, without the Noise and Terror of Arms,

attended only by a ſmall Retinue; and proper Security ſhould be given, that no Injury and Diſturbance ſhould be offered to him or his.

After the Imperial Power was thus inſulted, no one will wonder that the like Proceſs ſhould be carried on againſt *Ezeline*, Lord of *Padua*, and zealouſly attach'd to the Emperor's Party. For in the Year 1248. the ſame Pope *Innocent*, as we learn from his Letters to the Prelates of the *Milaneze*, the Marquiſate of *Treviſo* and *Emilia* *, pronounced the Eccleſiaſtical Cenſures againſt him on the Day of the Feſtival of the holy Sacrament. He had appointed Inquiſitors of the Faith againſt him before, becauſe he had been aſperſed with the Report of Hereſy. In order to refute the Charge, he ſent Meſſengers to *Rome*, who bound themſelves by a ſolemn Oath, in the Name of *Cæſar*, to declare that his Sentiments were right concerning the Catholick Faith. But as that Purgation was not allowed of by the Biſhop of *Sabine*, who was appointed to take the Report of the Meſſengers, nor by the Pope himſelf; becauſe, as he pretended, the Importance of the Affair required the guilty Perſon to be preſent; he fixed him the Calends of *Auguſt* for the Day in which he was to clear himſelf; and according to the Papal Manner provided for his Security; hereby demonſtrating, that he muſt entertain no Hopes of Reconciliation, unleſs he would in all Things ſubject himſelf to the Beck and Pleaſure of the Pope, and own him as ſupreme Judge in all Cauſes whatſoever.

a. 1248. §. 25, 26.

But as *Ezeline* did not appear, the Pope, in the Year 1251. deputed the Biſhop of *Treviſo*, and the Prior of the Predicants at *Mantua*, to let him know that he ſhould be ſubject to all the Puniſhments ordain'd againſt Hereticks, unleſs he appeared before the holy See within the next Calends of *Auguſt*, and ſubmitted himſelf to receive his Commands: That if he refuſed to appear, they ſhould publickly declare, that he was to be avoided by all, as one defiled with Hereſy, that his Body might be ſeized on, his Goods plundered; and that an Army of Croſs-Bearers ſhould be ſent againſt him and his Followers. This Proceſs laſted ſome Time before the Pope pronounced the long intended Sentence. At length, in the Year 1254. on the Day of the Feſtival of the Sacrament, *Ezeline* was condemn'd for Hereſy, and ſubjected by the Pope's Sentence, to all the Puniſhments of Hereticks. *Innocent* publiſh'd a moſt bitter Sentence againſt him, in which he charged him with the moſt horrid Crimes. He commanded alſo all the Prelates, that they ſhould publiſh the Condemnation of *Ezeline*, for Hereſy; and puniſh all who adhered to him, with the Puniſhments ordain'd againſt the Followers of Hereticks. There are extant alſo the Pope's Letters upon the ſame Subject, to *Alberic* his Brother; by which he gave him all his Brother's Effects, whom he had condemned to the Puniſhments of Hereticks, and confirmed the Sentence of *William*, King of the *Romans*, by which he condemned him for Rebellion, and deprived him of all his Lands that were ſubject to the Empire.

Raynald. *a.* 1251. §. 36, 37.

a. 1254. §. 35, 36.

* Containing the Dutchies of *Parma*, *Modena*, *Mirandola*, and Part of *Mantua*.

Ray-

§. 27. *Raymond*, alſo Earl of *Tholouſe*, quite oppreſſed with the ſeveral Misfortunes we have before related, ſubmitted his Neck to the Papal Yoke: For he ſignified to the Pope, that he deſired that heretical Pravity might be quite deſtroy'd, and wholly extirpated out of his Dominions. The Pope highly extolled him for ſo pious a Zeal; and to oblige him, as he ſays, commanded the Biſhop of *Agen*, to make Inquiſition after, and puniſh the Hereticks of *Tholouſe*. *William de Podo Laurentii*, as *Raynald* cites him, relates, that *Raymond* order'd about eighty Perſons, who either confeſſed, or were convicted of Hereſy, in Judgment before him, to be burned with Fire in the City of *Agen*, in the Place called *Berlaigas*. But he did not long ſurvive it, dying
a. 1249. in the Year 1249. and was the laſt Earl of *Tholouſe* of that Line. After his
§. 8, 9. Death, the Earldom went to his Son-in-law, the Earl of *Poictiers*, and he dying without Iſſue, it devolved to the Kings of *France*.

Bzovius, *a.* 1247. §. 4, & 6. The Office of the Inquiſition was more than ten Years before this brought into *Lombardy*. *Innocent* IV. *An.* 1247. willing to eſtabliſh it, commanded Friar *John Vicentinus*, a Predicant, that he ſhould conſtantly oppoſe the Hereticks in *Lombardy*, and gave him Power to abſolve thoſe who would abjure their Hereſy, and return to the Church, and of granting Indulgencies to ſuch who would attend upon his Sermons; and forbid that any of the Superiors of the ſame Order, the Provincial, or Maſter General, ſhould hinder him in the Office of the Inquiſition, or remove him from it.

a. 1248. §. 3. From the neighbouring Province of *Tholouſe* the purer Doctrine had ſpread it ſelf into the Province of *Narbonne* and *Aragon*: Wherefore *Innocent* IV. in a Letter, ſent to *Raymond Penniafortius*, Maſter of the Predicants, and to the Provincial of *Spain*, commands that they ſhould depute, by the Pope's own Authority, ſome of the Friars of his Order in the Kingdom of *Aragon*, to be Inquiſitors of heretical Pravity, in the Province of *Narbonne*, in that Diſtrict only that was ſubject to *James*, King of *Aragon*; and enjoin them, that they ſhould effectually proceed againſt Hereticks, their Abettors, *&c.* fearing no one in this Affair, but God, according to the Form publiſhed by *Gregory*, and renewed by himſelf.

But *Luke Wadding* relates, That in the Year 1232. Inquiſitors were appointed in *Aragon*, by the Command of Pope *Gregory* IX. the King deſiring them of the Pope, at the Inſtigation of *Raymond Penniafortius*, his Confeſſor. Not long after a Synod was held at *Tarracon*, which made many Decrees againſt Hereticks; and an Inquiſition was there ſet up, after the Manner of that at *Tholouſe*, which was carried on with the greateſt Rigour againſt the Hereticks which aroſe in that Time, and which laſted more than an whole Age. For in the Life of *Nicholas Eymerick*, a Predicant Monk, and Author of the Directory of the Inquiſitors, 'tis related, that *Eymerick* flouriſhed in the Times of *Urban* V. and *Gregory* XI. Popes, and of *Peter* IV. King of *Aragon*: That he was created Inquiſitor General about the Year of our Lord 1358. and ſucceeded *Nicholas Roſell*, *An.* 1356. and made a Cardinal: That he died the 4th of *January*, *An.* 1393. having ſtrenuouſly kept up the Office of the Inquiſition againſt Hereticks, 44 Years ſucceſſively. Upon his

Death the Inquisition remained in Force in that Kingdom; but gradually sunk of it self, upon the entire Extinction of the *Valdenses*.

[About this Time also, the Inquisition was introduced into *Burgundy*. For about the Year 1223. the Friars Predicants, of the Order of *Dominick*, were received in *Besancon*: For whereas some of the *Valdenses* had retired into the Country of *Burgundy*, *John* Earl of *Burgundy*, at the Instigation of the *Dominicans*, obtained a Bull from Pope *Innocent* IV. beginning, *Zelo magno zelantes*, dated *An.* 1247. 12 Cal. *Sep.* by which the Inquisition was erected in the Territories of *Besancon*. The same Pope had, in the preceding Year, by a Bull, dated 12 Cal. *Dec.* beginning, *Ille humani generis*, &c. admonished the Prior and Convent of the Friars Predicants at *Bisancon*, that they should appoint Inquisitors in that Country; and after an Exhortation to the whole Order, should make Inquisition against Hereticks. But this Tribunal by degrees came also to nothing; because, when the *Valdenses* were extinguished, there were no others for the Inquisition to proceed against. But in these last Ages it was restored again.]

Des Loix, p. 129, &c.

CHAP. XV.

The more happy and speedy PROGRESS *of the* INQUISITION.

THUS far the Pope had laboured hard in promoting the Affair of the Inquisition. But as there were perpetual Quarrels between the Popes and the Emperor, the Pope's Success was not answerable to his Wishes, as being more intent upon promoting War, than enquiring into, and judging of Heresies. But after the Death of the Emperor *Frederick*, the Affairs of *Germany* being in great Disorder, and *Italy* without any Prince; Pope *Innocent* IV. seeing all Things become subject to his Power, in the *Milaneze* and other Parts of *Italy*, determined to extirpate all Heresies, which had greatly encreased in the preceding War: And because the *Dominican* and *Franciscan* Friars had greatly assisted the Pope against Hereticks, and were animated with a fiery Zeal, he committed this Affair to them, rather than to any others whatsoever. He therefore erected a Tribunal, solely for the Business of the Faith; and gave to the Inquisitors perpetual Power to administer Judgment in his Name in this Cause.

His first and principal Care was to purge *Italy* from Heresy, which was nearest to himself, and mostly subject to his Power; and therefore he erected several Tribunals of the Inquisition therein. In the Year 1251. he created *Vivianus Bergomensis*, and *Peter* of *Verona*, both Friars Predicant, Inquisitors of the Faith in *Milan*, and gave them these Letters, in which he taxes even the Emperor *Frederick*, as a Favourer of Heresy. *Innocent*, &c. *Whilst that perfidious Tyrant lived, we could not so freely proceed against this Plague, especially in*

Raynald. *a.* 1251. §. 34, 35.

in Italy, *through his Opposition; who, instead of putting any Check to it, rather encouraged it. When he became evidently suspected of this, he was condemn'd by us in the Council of* Lyons, *as well as on Account of his many other enormous Excesses: And therefore we strictly command and enjoin your Discretion, by these our apostolick Writings, as you expect the Remission of your Sins, that ye prosecute this Affair of the Faith, which lies principally upon our Heart, with all your Powers and with fervent Minds; and that ye go personally to* Cremona; *since we have thought proper to depute for the same Business other discreet Persons in the other Cities and Places of* Lombardy; *and that after having called a Council in that Diocese, ye do carefully and effectually labour to extirpate heretical Pravity out of that City and its District; and that if you find any Persons culpable upon this Account, or infected, or defamed, unless upon Examination they will absolutely obey the Commands of the Church, ye proceed against them, their Receivers, Abettors and Favourers, by the apostolick Authority, according to the canonical Sanctions, laying aside all Fear of Men; and that if there be need, ye call into your Assistance the secular Arm. Dated the Ides of* June, *and eighth Year of our Pontificate.*

Pegna *in* Eymeric. *p.* 2. *com.* 38.

This *Peter* of *Verona* appointed, that amongst other Statutes of the Republick of *Milan*, many also should be made and observed against heretical Pravity. But as he was going from *Como* to *Milan*, *An.* 1252. to extirpate Heresy, a certain Believer of Hereticks attack'd him in his Journey, and dispatch'd him with many Wounds. He was canoniz'd after his Death by *Alexander* IV. and is worshipped as a Martyr by the *Dominicans*, whom next to *Dominick* they esteem as the Patron and Prince of the holy Office of the Inquisition; since he was the first who consecrated it by his Blood. The Ministers also of the Inquisition, which they call in *Italy*, Cross-Bearers, are from him called Co-Brothers of *Peter* the Martyr; and in the very Ensigns of this Office he is painted as a Martyr, and Protector of this sacred Tribunal, with a silken Cross, of a red Colour, interwoven with Gold, as the Emblem of his Martyrdom.

But least the Pope should seem wholly to deprive the Bishops of the Power of Judging, concerning the Faith, which hitherto had been wholly lodged with them, he appointed that a Bishop, with the Inquisitor, should be Judges in this Tribunal: But the Bishop was admitted only for Forms sake. The whole Power of Judging lay wholly in the Inquisitor. And that there might be some shew of Authority left to the civil Magistrates, who by the last Laws of *Frederick* had the Power of pronouncing Sentence upon Hereticks, he allowed them to appoint Ministers of the Inquisition, but such only as were nominated by the Inquisitors; and to depute one of their Number, nominated also by the Inquisitor, to visit with him the Territory committed to him; and of claiming the third Part of the confiscated Goods; together with some other Things of the like Nature, by which the secular Magistrate seemed indeed to be admitted as a Companion of the Inquisitors, but was in reality render'd their Slave and Tool: For he was obliged, at the Command of the Inquisitor, to apprehend any one, and to imprison him, wherever the Inquisitors pleased. He was also under an Oath to expel from his

his Family, and not to admit into any Office, any that ſhould be adjudged Hereticks by the Inquiſitors Sentence; and if any of his Number aſſiſted the Inquiſitors, they were put under an Oath of Secrecy. From all which 'tis manifeſt, that the Magiſtrates were not the Companions of the Inquiſitors in that Tribunal, but only their Slaves and Tools. The Pope alſo ordained, that all Perſons ſhould pay towards the Charges of the Jails, Impriſonments, and Support of thoſe who were confined.

By this Means the Office of making Inquiſition againſt Hereticks, was in diverſe Places of *Italy* committed both to the Minors and Predicant Friars. But leaſt their mutual Power, and the neighbouring Juriſdiction of the Places ſhould create Confuſion, or raiſe Diſputes about their reſpective Bounds, the Pope recalled all the Commiſſions that had been granted in the Affair of the Faith; and divided, in an exact Proportion, to each Order, the ſeveral Parts of *Italy*. The Friars Minors he appointed in the City of *Rome*, throughout *Tuſcany*, in the Patrimony of St. *Peter*, the Dutchy of *Spoletto*, *Campania*, *Maretamo* and *Romania*. To the Predicants he aſſigned *Lombardy*, *Romaniola*, the Marquiſate of *Tarviſino*, and *Genova*. The Bull in which he commits the Office of the Inquiſition to the Predicants, is in *Bzovius*, *An.* 1254. §. 4. and that to the Minors, in *Luke Wadding*, *An.* 1254. §. 7. After this, the Pope preſcribed thirty one Articles to the Magiſtrates, Judges and People of the three Countries, which he had ſubjected to the Juriſdiction of the Predicants, which he commanded to be exactly obſerved, and regiſter'd amongſt the publick Records; and gave Power to the Inquiſitors to put under Excommunication and Interdict, all who refuſed to obſerve them. Armed with this Power, they ſometimes very inſolently abuſed it, and attempted to introduce into other Countries what the Pope had order'd only for thoſe that he had put under their particular Juriſdiction. Upon this Account, in the Year 1255. there was a great Quarrel between *Anſelm*, a Predicant Friar in the *Milaneze*, and the Magiſtrate of *Genova*. The Friar endeavoured, that ſome Conſtitutions made againſt Hereticks, both by the Apoſtolick See, and the Imperial Power, ſhould be publiſhed, and repoſited amongſt the Laws of the City. But *Philip Turrianus*, Prefect of the City, refuſed it, either becauſe he favoured Hereticks, or deſpiſed the Commands of the Inquiſitor. Upon this the Friar, ſupported by the Apoſtolick Authority, proceeded againſt *Philip* as ſuſpected of Hereſy; and becauſe he refuſed to obey and appear, excommunicated him, and all his Companions in the Government, as Accomplices in the Crime; and interdicted the City from all holy Services. *Philip*, under that Cenſure, appealed to the Apoſtolick See; and ſent Ambaſſadors to the Pope, to entreat a Suſpenſion of the Cenſures, and to wait for the Determination of the whole Affair. The Pope ſuſpended the Curſes *Anſelm* had pronounced to a certain Day; but before that Day came, *Philip* obeyed the Commands of *Anſelm*, regiſter'd according to his Order all thoſe Conſtitutions amongſt the City Laws, and proceeded as they directed againſt all Contraveners.

Wadding, *a.* 1254. § 7.

Bzovius, *a.* 1256. § 7.

Hiſt. Concil. Trid. p. 485.

Thus the Civil Magiſtrate was ſometime forced to yield to the Papal Authority: And this undoubtedly was the Reaſon, that the Laws of *Frederick* againſt Hereticks, were, as Friar *Bernard* of *Como* relates in his Light of the Inquiſitors, printed at *Rome*, *An.* 1584. regiſter'd in the Records of the City *Como*, and accepted by the whole Council of that City, *Sept.* 10, 1255. Nevertheleſs, upon Account of the exceſſive Cruelty of the Inquiſitors, and the Greatneſs of the Expence, the People were violently ſet againſt this Tribunal; and ſome of the Popes could ſcarce extricate themſelves out of theſe Difficulties, till at length the People admitted it more eaſily, being eaſed of the Expenſes they had born to ſupport the Inquiſition, and becauſe the Epiſcopal Authority in that Tribunal was greatly enlarged.

Sometimes however they broke out into open Violence, which was with great Difficulty appeaſed. Thus it happen'd in the Country of *Parma*, as *Honorius* IV. relates it, in his Letter to the Biſhop of that City *, extant in *Bzovius*. Theſe Difficulties were indeed overcome by the Authority of the Pope, and Rigour of Puniſhments; but contrary to the Inclinations and Endeavours of the People, who curſed the Cruelty of the Inquiſitors. From ſome Countries where the Inquiſition had been brought in, it was driven out again; becauſe it aſſumed the Cognizance of thoſe Affairs which did not belong to it; ſo that the People could no longer bear the intolerable Yoke. In theſe latter Ages, *viz. An.* 1518. the moſt violent Tumults were raiſed in *Breſcia*, againſt the Inquiſitors, who exerciſed the moſt outragious Cruelties againſt ſome Perſons accuſed of Magick, which were very difficultly appeaſed, and not till the Eccleſiaſtical Tribunal and Proceſſes were aboliſhed, and other Judges appointed in their Room. Upon the Death of *Paul* IV. the Priſons of the Inquiſition were broke open by the Mob at *Rome*; and the whole Building, with all its Records, burnt to the Ground. At *Mantua*, *An.* 1568. there was, on the ſame Account, a violent Sedition, which brought the City it ſelf into the extreameſt Danger.

a. 1285. §. 12.

Hiſt. Inq. Venet. *c.* 8. *ibid.*

As there occurred to theſe new Judges many Caſes, not determined by the Laws, ſo that ſometimes they were in doubt how to proceed; they referred them to the Pope, by whom they were deputed, who by his Reſcripts, gave them proper Directions, and declared how they were to pronounce in like Caſes. There are extant many ſuch Anſwers of *Innocent* IV. *Alexander* IV. *Urban* IV. and *Clement* IV. to the Inquiſitors, inſtructing them in the Affair of their Office againſt Hereticks. And although theſe Reſcripts were ſent only to the *Italian* Inquiſitors, yet we muſt not think, as *Pegna* remarks, that theſe Decrees were to be obſerved in *Italy* only: "For the *Roman* Pontiffs tranſmitted their Reſcripts to the Inquiſitors of *Italy*; becauſe at that "Time there were many of them againſt the prevailing Hereſies of the "*Patarenes*, *Puritans*, *Leoniſts*, and other Hereticks, who chiefly infected "the Parts of *Italy*; the Hereſies of the *Valdenſes*, or poor Men of *Lyons*, "being almoſt buried and extinguiſhed, the Apoſtolick See having a little

In Eymer. *Direct. Inquiſ. p.* 3. *com.* 158.

* *See* Hiſt. Inquiſit. *Book* 3. *Cap.* 10.

"before suppressed them in *Languedoc*, *Dauphiny*, and *Provence*, by the "Preaching of many famous Men, and especially of St. *Dominick*. And "therefore the Rescripts sent by the Popes to those Inquisitors, they ordered "to be observed by the Inquisitors of other Provinces, where there were any. "They were sent first to those of *Italy*, because they especially needed that "Provision, and those Constitutions." One may also read in the Bulls the same Laws often repeated, without any Alteration, by different Popes. For, as the same *Pegna* observes, "it seems to have been an ancient Custom, when "the Matter required it, that every Pope, in the Beginning of his Pontifi-"cate, should publish Laws against Hereticks, and Rebels against the "Church, to deter them from so great a Crime by the Severity of Punish-"ments and Penalties, and thus reduce them to the Bosom of the Church. "Sometimes they published the Laws received by their Predecessors, with-"out altering a Word, unless the Occasion required otherwise.

Direct. Inq. Par. 2. Comment. 22.

This Tribunal was merely Ecclesiastical, the Civil Magistrate having no Share in the Judgment. The Inquisitor, with the Bishop, pronounced Sentence of Heresy against the Person apprehended. They appointed wholsome Penances to the Penitent, and delivered over the Impenitent and Obstinate to the Secular Court, who without any farther Deliberation condemned them to the Fire.

CHAP. XVI.

The INQUISITION *introduced into several Places.*

AFter this manner, Tribunals of the Inquisition were erected in other Places besides *Italy*. First in the County of *Tholouse*. For *Innocent* IV. commanded the Provincial of the Predicant Order in *Provence*, to endeavour, with all his Might, to extirpate Hereticks from that County, and the Country of *Poicteau*, and gave him plenary Power to excommunicate, absolve, and reconcile.

Bzovius, *a.* 1251. §. 8. *n.* 9.

In the Year 1255. *Alexander* IV. at the Request of *Lewis*, appointed Inquisitors of the Faith in *France*, and constituted the Prior of the Predicant Friars at *Paris*, Inquisitor over all that Kingdom, and County of *Tholouse*, with the most ample Powers, and exhorted him to advise with grave and prudent Men in pronouncing Sentences. These Things are said to have been done at the Desire of *Lewis* the *French* King. *Raynald* adds: *The Kings afterwards for a long Time trod in the Steps of this most holy Prince, in defending the Censors of the Faith all over the Kingdom of* France; *till some degenerating from his Piety, abolished the sacred Tribunals, which had been appointed by the Desire of this religious King, and thus unhappily gave the Reins to all Impiety. How terrible a Fire hath been raised from hence, which at first might have been extinguished by the*

Raynald. *a.* 1255. §. 33, 34. Bzovius, *a.* 1255. §. 8. *n.* 15.

Blood of a few, France *is a Witness, which hath been thus long torn to Pieces by the Sword of Hereticks. So that all pious Men wish and pray, that another Prince may rise up equal in Piety to St.* Lewis, *who may restore the Tribunals of the holy Faith in* France. I cannot help remarking, that from these Words we may learn, not only what the Popes and their Devotees principally regard, *viz.* to restore the Inquisition wherever 'tis lost, but who and what Sort of Persons are their Saints, to whom they give such high Encomiums in their Writings; not Men remarkable for their Sanctity of Life, nor for governing their Actions according to the Rule of the Christian Doctrine, but Persons who have been the most zealous Promoters of the Papal Authority, who have most advanced the Power of the Church, and heaped upon the Ecclesiasticks the most ample Possessions and Riches. *Philip de Comines* hath a pleasant Story of this kind, in his Commentaries of the *Neapolitan* War, Book 1. John Galeacius, *first Duke of* Milan *of that Name, had governed with great Cruelty and Pride, but had been very liberal in his Donations. I saw his Sepulchre in the* Carthusians *Church at* Papia, *and as I was looking on it, one of them spoke to me of his Virtue, and extolled his Piety. Why, said I, do you thus praise him as a Saint? You see there are drawn the Ensigns of many People, whom he subdued without any Right. Oh, says he, 'tis our Custom to call them Saints, that have been our Benefactors.* Hence we may easily learn who are in their Account wicked and impious Men: Not such whose Manners are contrary to the Precepts of *Jesus Christ*, but who oppose the exorbitant Power of the Pope, and the intolerable Yoke of the Ecclesiasticks; who assert the just Liberties of Mankind, and scorn to be the vile Slaves of the Pope. These they point out to us as wicked Wretches, and accuse of the worst of Crimes, and the most horrid Vices; from whence it appears of it self, what Credit is to be given to those Histories, which are written only by Monks, those sworn Slaves to the Pope. But to return:

Raynald. *a.* 1281. §. 18. When the Inquisition was once brought into *France*, the Pope carefully endeavour'd to preserve it, and to cherish and enlarge, by all Measures, the Jurisdiction of that Tribunal. Such who were defamed for Heresy, and afraid of being brought before the Tribunal of the Inquisition, fled to the Churches, for the Benefit of the Ecclesiastical Immunity, and could not be brought from thence by Force before the Inquisitors. *a.* 1228. §. 23, 28. The Pope seeing that by this Means many would escape the Judgment of the Inquisition, decreed that this Privilege should not be allow'd them. Farther, to prevent the *Roman* Catholick Faith and Worship from being lost in those Provinces of *France*, where lived many of the *Valdenses*, he transmitted to the Magistrates and Prefects of those Places the Laws made by the Emperor *Frederick* against Hereticks, that they might proceed against those who were infamous on this Account. About this Time also, the Office of the Inquisition was brought into the Kingdoms of *Castile* and *Leon*, altho' there is scarce any mention of the *Castile* Inquisition in the Acts of those Times. However, *Lewis a Paramo* proves its Introduction from the Letters of Pope *Clement* IV. dated at *Viterbo*, Calend. *Feb.* 1267. by which Power is given to the Provincial of the Predicant Friars in *Spain*, which then comprehended *Castile*, *Andalusia*, *Portugal*, and *Navarre*, to nominate two of the

the aforesaid Order, to make Inquisition against heretical Pravity; which Letters are preserved at *Barcelona* in the Archives of St. *Catherine* the Martyr. Another Bull of Pope *Clement* VI. is also kept there, expedited the 4th of the Ides of *April*, 1350. directed to Father *Nicholas Rossellis*, Provincial of *Aragon*, by which he appoints, that the Inquisitors he had made in his Province should not be subject to those who were chose by the Provincial of *Castile*. From whence *Paramus* rightly gathers, that there had arisen some Controversy between the Inquisitors of *Castile* and *Aragon* concerning their Jurisdiction, and that it had been ended by the Authority of the Pope.

About this Time many Hereticks from the Countries of *Italy*, to escape the Hands of the Inquisitors deputed thither, transported themselves into the Isle of *Sardinia*. And therefore, that they might not escape Punishment, nor infect the *Sardinians*, Pope *Honorius*, *An.* 1585. commissioned the Minorites, the Inquisitors of *Tuscany*, to exercise the Office of the Inquisition also in that Island. Likewise, *An.* 1288. the Pope commanded, that the Minister of *Provence* should, by the Apostolick Authority, appoint one of his Brethren, a wise and learned Man, Inquisitor in the County of *Venaisin* in *Dauphiny*, and the neighbouring Places, who should execute this Office according to the Laws formerly prescribed by *Clement* IV. And, that there might be no Impediment to the Exercise of it, he two Years afterwards, *An.* 1290. commands the Governor of the *Venaisin*, by Letters given to him, that the Expences of the Inquisitors should be defray'd. *Let him procure, at their Requisition, or any one of them, that the moderate Expences made or to be made by them, necessary to the Support of the Office of the Inquisition, be granted to them without any farther Obstacle or Delay, according to the Pleasure of the Apostolick See; and that all and singular the Goods, movable and immovable, which shall be confiscated by the Sentence of the said Inquisitors, be applied to the Produce of the same District, towards the Necessities of the Court.* Then he adds: *For we intend that such Expences be defray'd by these Effects; and know, that it will be very disagreeable to our Inclinations, that the said Office receive any Detriment upon Account of the Charges attending it.*

Wadding. a. 1285. §. 9. Raynald. a. 1285. §. 75. Wadding. a. 1288. §. 14. a. 1290. §. 6.

In the same Year 1290. the Inquisition was erected in *Syria* and *Palestine*, because some Hereticks and *Jews* had crept in there, who promised themselves Safety from the Disorders of the Wars. The Pope sent a large Bull to *Nicholas* Patriarch of *Jerusalem*, Legate of the Apostolick See, and commanded him to depute Inquisitors of heretical Pravity in all the Countries where his Legateship reached, by Advice of the Provincials of the Predicants in those Parts, or their Vicegerents. The Inquisition lasted some Years in this Country, and was strenuously supported by the Minorites.

a. 1290. §. 2.

In the Year 1291. the Inquisition was brought into *Servia*, and the Pope wrote Letters to *Stephen* King of that Country. This same Year there was a great Quarrel in *Italy* between the Inquisitors of the Orders of the Minorites and Predicants. One Friar *Pagan*, a Predicant, Inquisitor in *Lombardy*, and Friar *Vivian* of the same Order, fiercely opposed the Inquisitor in the Marquisate of *Treviso*. This proceeded to such an Height, that many Disturbances were raised in the City of *Verona*, insomuch that the Pope found it necessary to

Wadding. a. 1291. §. 11, 14.

cite them both before himself. After hearing what they alledged in their Defence, he determined that they had been guilty of great Excesses; and therefore removed them for ever from the Office of the Inquisition, and added other Punishments, which he wrote an Account of to the Bishop, Governor, and Citizens of *Verona*.

a. 1292. §. 3. Bzovius, *a.* 1292. §. 5.

The following Year 1292. the Inquisition was erected in the Cities of *Vienne* and *Albona*, after the same manner as it had been appointed in those of *Arles*, *Aix*, and *Ambrun*. The same Year *James* King of *Aragon* greatly promoted the Inquisition in all his Kingdoms. For by a Law made the 10th of the Cal. of *May* he commands all the Officials of all his Kingdoms, already made, or hereafter to be made, that at the Notification or Injunction of the Friars Predicants, who now are, or hereafter shall be Inquisitors of heretical Pravity, they do, fulfil, and execute, whatsoever they shall command to be done, by themselves or their Deputies, on the Part of the Pope, or the King himself, whether it be to apprehend, or imprison Mens Persons, or any other Thing relating to the Affair of the Inquisition. And he commands them to do this as often as, and wheresoever they shall be required by them, or any one of them.

And that there might be no Place of Refuge left for Hereticks, Tribunals of the Inquisition were erected up and down in various Countries: In *Germany*, *Austria*, *Hungary*, *Poland*, *Dalmatia*, *Bosnia*, *Ragusia*, *Croatia*, *Istria*, *Walachia* in *Lower Germany*, and other Places, to which the Power of the Pope could extend it self. The *Austrian* Inquisition was at first very terrible; for *Paramus* relates from *Trithemius*, that in the City of *Crema* many thousand Hereticks were apprehended and burnt by the Inquisitors.

l. 2. *t.* 3. *c.* 4. *n.* 17.

CHAP. XVII.

Of the INQUISITION *at* Venice.

THE Inquisition at *Venice* was under a different Management. The greatest Part of the Christian World being in Arms, upon Account of the fierce Contentions between the Pope, and *Frederick* the Emperor, *Lombardy* being torn in Pieces by its own Quarrels, and the Marquisate of *Treviso* and *Romaniola* divided between the Followers of the Pope and Emperor, there arose amongst them various Opinions, different from the *Roman* Faith. And because many Persons had fled to *Venice*, to live there securely and quietly, the Magistrates of that City, to prevent it from being polluted with foreign Doctrines, as many Cities of *Italy* were, chose certain Men, honest, prudent, and zealous for the Catholick Faith, who should observe and enquire out Hereticks. Full Power was also given to the Patriarch of *Grado*, and other *Venetian* Bishops, to judge of those Opinions; and it was decreed, that whosoever was pronounced an Heretick

Heretick by any one of the Bishops, should be condemned to the Fire, by the Duke and Senators, or at least the major Part of them *. And least their should be any Hindrance to this Affair, by the Death of a single Bishop, it was afterwards decreed, that such also should be condemned to the Fire, who were pronounced Hereticks by the Bishops Vicars, upon the Demise of the Bishop †. In this Process, the secular Judges appointed by the Commonwealth, made Inquisition against Hereticks. The Bishop judged concerning their Faith, whether it was agreeable to the *Roman* Faith, or heretical. Then the Duke and Senators pronounced Sentence, not as meer Executors of the Bishop's, but as Judges, properly so called: But *Nicholas* IV. a minor Friar, being exalted to the Pontificate, in order to execute the Purposes of his Predecessors, and exalt the Friars of his own Order, did not cease his Endeavours, till he had got the Office of the Inquisition received by a publick Decree at *Venice*; but under this Limitation, to prevent Scandal, that the Duke alone should have Power to assist the Inquisitors in the Execution of their Office; that a Treasury should be appointed, and an Administrator set over it, who should disburse the necessary Sums for the Office, and should receive and keep all the Profits accruing from it, to the Treasury. This was done in the Year 1289. The Pope acquiesced in this Decree; and thus the Office of the Inquisition at *Venice* consisted of Secular and Ecclesiastical Persons, and doth so to this Day; three Inquisitors assisting at it in the Name of the Prince. The Ecclesiasticks have been indeed endeavouring to bring it entirely into their own Hands, but could never prevail with the *Venetian* Senate to agree to it. In the Year 1301. Friar *Anthony*, an Inquisitor, would feign have persuaded Duke *Peter Gradenigo*, to have bound himself by an Oath, to observe the Pontifical and Imperial Laws against Hereticks. But the Duke answered, by a publick Rescript, that he was no ways obliged to take a new Oath; because when he was raised to the high Office of Duke, he confirmed by an Oath the *Concordate* with *Nicholas* IV. and therefore insisted that he was no ways bound, by any Pontifical or Imperial Laws, not agreeing with this *Concordate*. Upon this Answer, the Inquisitor desisted from his Attempt.

From these Things 'tis evident, that the *Venetian* Inquisition is very different from what it is in other Countries, where Ecclesiasticks, intirely devoted to the Pope of *Rome*, have the whole Management of it. For whereas in other Places the Cognizance of Heresy belongs only to the Ecclesiasticks; and whereas all who bear any Part in that Judgment, as Assessors, Counsellors, Notaries, or Witnesses, take an Oath of Secrecy to the Inquisitors, whereby the Magistrate is no more than the blind Executor of the Inquisitor's Sentence; the *Venetian* Senate, by a wise Distinction, considers three Things separately in this Affair: The Judgment concerning the Doctrine for which any Person is to be pronounced an Heretick: The Judgment

* This happened *An. Dom.* 1249. Father *Paul* Hist. Inquis.

† *An. Dom.* 1275. Ibid.

of the Fact, *viz.* who embraces and professes that Doctrine: And lastly, the pronouncing the Sentence. The first is acknowledged to belong to the Ecclesiastical Court; the two latter they contend belong to the Secular, and was always formerly administred by Seculars, during the *Roman* Empire. And though sometimes, by the Indulgence of Princes, the two last were allowed to the Ecclesiasticks, yet the Senate of *Venice* never gave up that Authority, but always order'd their Deputies, and in other Cities of their Territories, the Magistrate, to be present at all Actions of the Inquisitors. And so great is their Caution, that if any one hath any Commerce with the Court of *Rome*, he cannot assist at forming the Processes. The proper Business of these Assistants is, only to be present; and if any Thing doubtful occurs, to inform the Prince; and therefore they make no Promise of Secrecy to the Inquisitors, but are obliged to let the Prince know what is done in the Inquisition. Yea, although one of the Clergy, of the same Order with the Inquisitor himself, be accused before the Inquisition, the Civil Magistrate must be present, nor suffer the Inquisitor to proceed, unless he be with him, even after the Injunction made. And although the Inquisitor will communicate the whole Process to him, he must nevertheless be present at it: And if the Ecclesiasticks should form the Process whilst the Civil Magistrate is absent, he will command it to be resumed before him, even although the Process be carried on without the *Venetian* Territories. The Senate hath especially taken Care that neither the Process, nor the Persons taken up shall be sent out of their Dominions, unless by the Advice and Consent of the Prince. That this Method is observed in the Inquisition at *Venice*, Father *Paul* proves by a plain Example, in his History of the *Venetian* Inquisition. *An.* 1596. One *Lewis Petruccius Senensis*, was thrown into Prison at *Padua*. And whereas, according to the usual Custom of the Inquisition, the *Roman* Inquisitor ought to have sent to *Padua*, the Facts and Proofs which he had against him; he on the contrary demanded that the Prisoner should be sent to him; and urged this Matter at *Rome* to the *Venetian* Ambassador, and at *Venice* by the Pope's Nuncio: But the Senate made Answer, That it was not proper that that laudable Institution of the Republick should be altered, which orders the Prisoners to be tried in those Places where they are taken up and confined; but that it was just, and agreeable to the receiv'd Custom, that whatever Crimes the Prisoner was accused of should be transmitted to the Inquisitor at *Padua*, that so he might suffer the just Punishment of his Crime. And they thought this so evident and manifest a Piece of Justice, that no Body could oppose it. This Affair was controverted on both Sides by many Letters for five whole Years, *Petruccius* being all the while kept in Prison. But at length the *Romans* finding they could not get the Prisoner into their Possession, wrote, *An.* 1601. to the Inquisitor at *Padua*, to dismiss his Prisoner *Petruccius*; which created no small Suspicion what Sort of Crime it must be, which they had rather should go unpunished than discover it to the Inquisitor at *Padua*.

The *Venetian* Senate hath alſo been particularly careful that the Inquiſitors ſhall not have the Power of prohibiting Books, becauſe they may eaſily abuſe it to the Detriment of the Commonwealth; for they oftentimes forbid, or adulterate good Books, and uſeful to the Publick; ſometimes they prohibit Books which have no Relation to their Affairs; and ſometimes becauſe they arrogate to themſelves the Cenſure of all Books, they hinder the Civil Magiſtrate from prohibiting and condemning Books highly injurious to the Government.

From theſe Things and others, which might be mentioned from Father *Paul*, but which for Brevity I omit, 'tis evident that the *Venetian* Inquiſition is not ſo abſolutely ſubject to the Pope as the other *Italian* Inquiſitions are; and that it is not entirely committed to Eccleſiaſticks, but that the Civil Magiſtrate hath a principal Share in the Management of it.

[*Thuanus* relates the ſame of the *Venetian* Inquiſition, *viz.* That the Senate, *An.* 1548. renewed the Edict that had been firſt made, *An.* 1521. ſeveral Perſons ſuſpected as to their Religion, of being Sorcerers, and in a League with the Devil, being put to the ſevereſt Torture, at the Deſire of the Pope's Legate in *Breſcia*; but with this Caution, that Judgment ſhould not be committed only to the Inquiſitors and Biſhops, but that there ſhould be always preſent the Governors of the Places, and ſome Lawyers, who ſhould know and ſee the Depoſitions; that none in their Territories, under the Pretence of Religion, might, through Injuſtice and Covetouſneſs, be oppreſſed; which Caution they obſerved afterwards, when the Doctrine of *Luther* took deeper Footing, and do maintain even to this Day.] *Hiſt. lib.* 5.

CHAP. XVIII.

The INQUISITION *againſt the* APOSTOLICKS, TEMPLARS, *and others*, &c.

ABOUT the Year of our Lord 1300. there was great Cruelty exercised upon certain Perſons called Apoſtolicks, in *Italy*. They ſeem to have been the Offspring of the *Albigenſes*: Their Riſe is thus deſcribed by *Eymericus*. In the Times of *Honorius* IV. *Boniface* VIII. *Nicholas* IV. and *Clement* V. about the Year of our Lord 1260. there appeared *Geraldus Sagarelli*, in the Biſhoprick of *Parma*, and *Dulcinus* in that of *Novara*. They gathered a Congregation, which they called Apoſtles, who lived in Subjection to none; but affirmed that they peculiarly imitated the Apoſtles, and took on them a certain new Habit of Religion. *An.* 1285. *March*, Ides 5, they were condemn'd by the Letters Patents of *Honorius* IV. beginning, *Olim felicis recordationis*, and afterwards by *Nicholas* IV. *An.* 1290. *Direct. Inquiſ. p.* 2. *qu.* 12.

At length, after their Doctrine had prevailed near forty Years in *Lombardy*, *Sagarelli* was condemned as an Arch-heretick by the Bishop of *Parma*, and Friar *Manfred* the Inquisitor, a Predicant, in the Time of *Boniface* VIII. and burnt *July* the 18th, *A. D.* 1300. *Dulcinus*, with six thousand of his Followers of both Sexes, inhabited the *Alps*, who run into all manner of Luxury, as *Pegna* says, and gained many Proselytes for the Space of two or three Years; and that with such Success, as determined *Clement* V. to send amongst them Inquisitors of the Predicant Order, to put a Stop to so great an Evil, either by recovering *Dulcinus* and his Accomplices from their Error, or by acquainting him whether these Things were so or not, as he had been credibly inform'd, after they had made a strict and diligent Enquiry. Upon their Return they reported to the Pontiff what they had seen and heard, who upon being acquainted with their horrid Wickednesses and Impurities, published a Crusado against so heinous an Impiety, and promised large and liberal Indulgences to all who should engage in so pious a War against such wicked Men. An Army was accordingly gathered, and sent against them with an Apostolick Legate; who coming into the Places where these false Apostles dwelt, and unexpectedly attacking them, they were wholly oppressed by this Catholick Army of Cross-bearers, partly by Hunger and Cold, and partly by Arms. *Dulcinus* himself was taken, and eight Years after the Punishment of *Geraldus*, was, as an Arch-heretick, with *Margaret* his heretical Wife, his Partner in Wickedness and Error, publickly torn in Pieces, and afterwards burnt. The Opinions which *Eymerick* attributes to them agree for the most Part with those which are ascribed to *Peter Lucensis*, a *Spaniard*, excepting that abominable Principle of promiscuous Lust, of which there is not the least mention in the Sentence of the said *Peter*. From whence we may certainly conclude, that this is a mere Calumny upon these Apostolicks, as well as upon the *Valdenses*.

Direct. p. 2. Comm. 37.

The Sentence of this Peter Lucensis *is as follows.*

Tho' Inq. fol. 183.

" *Peter Lucensis*, of the City of *Lugo*, in the Province of *Gallicia*, beyond " *Compostella*, the Son of *Vivian* of the City of *Lugo*, as legally appears by his " judicial Confession, hath acknowledged, that twenty Years since he began " to observe that Order and Life which is called the Life of the Apostles in the " Poverty of the Gospel, and hath observed it with all his Power, as far as " his Frailty would allow him, ever since he was first informed by *Richard* " *Lombard* of *Alexandria*, who observed the said Life and Order, altho' the " said *Peter* had heard it reported and did believe that the Church of *Rome* had " condemned and disallowed the Order of those Apostles, and did believe that " such Apostles were condemned and persecuted by the Prelates and Reli" gious, and Inquisitors of heretical Pravity, especially in *Lombardy*, and al" tho' he had oftentimes and by many heard it said, that they were excommu" nicated, who observed the said Order and Life of those called Apostles, all " which Things notwithstanding he did believe the said Order of the Apostles

" to

" to be good, and that they who obſerved the ſaid Order and Life might be " ſaved by obſerving it, if they did not commit other Sins contrary to the " Commands of God. Being aſked, if he believed that the Pope and Pre- " lates of the *Roman* Church, and the Religious and Inquiſitors, did Evil, and " ſinned in perſecuting that Order, and thoſe who obſerved and adhered to " the ſaid Order; he, after many Words, anſwered finally, that he believed " they did Evil and ſinned in this, that they perſecuted that Good. Being " aſked, if the Sentence of Excommunication pronounced by the Church of " *Rome*, or its Authority, againſt thoſe who obſerved the ſaid Order, did " bind them; he anſwered, that it did not, ſaying, that he had heard it ſaid, " that the Sentence of Excommunication unlawfully or unjuſtly pronounced by " any one, did not excommunicate another, but condemned the Perſon him- " ſelf, and he brought and applied to that Purpoſe ſome Authorities from St. " *Paul* and the Goſpel, and concluded, that he did not think himſelf to be ex- " communicated for holding the ſaid Order, notwithſtanding any Sentence, " altho' he had heard it ſaid oftentimes, and by many, that *Gerard Sagarelli*, " who was the firſt Inventor of the ſaid Order of Apoſtles, and *Dulcinus*, who " held the ſaid Order, and many others of the ſaid Order, were condemned by " the Inquiſitors and Prelates of the *Roman* Church, and left to the ſecular " Arm and burnt. *Item*, Being queſtion'd, if he believed thoſe to be ſaved " who ſuffered Death for the ſaid condemned Order, he would not at firſt an- " ſwer directly that he believed them either to be ſaved or damned. But after " many Days, being aſked and re-examined upon this, he anſwered, that he " did believe that the ſaid *Gerard* was unjuſtly condemned, ſaying, that one " Chriſtian, eſpecially if he be a learned Clerk, and underſtands the Scripture, " ought not to deliver another Chriſtian to Death. *Item*, He expounded ma- " ny Things out of the holy Scripture before the Inquiſitor, according to his " own Underſtanding, to reproach the State of the Church, in which were " contained many erroneous Things; and amongſt other Things, he ſaid and " expounded, that when Poverty was changed from the Church by St. *Silveſter*, " then Sanctity of Life was taken from the Church, and the Devil enter'd into " the Companions of St. *Silveſter* into this World. *Item*, That there was a " double Poverty, the one perfect, which the Apoſtles held, and all thoſe who " follow and imitate them, hereby meaning himſelf, and thoſe like him, *viz.* " to have nothing of one's own, or in common. *Item*, There is an im- " perfect Poverty, ſuch as that of the Religious who live according to the " Rule of St. *Auſtin* and St. *Benedict*, who have Poſſeſſions and Riches in com- " mon, and that ſuch Religious are not perfect in Poverty, becauſe they have " Houſes to abide in, and all Neceſſaries to eat and drink in common. *Item*, " He ſaid that there is a double Church, *viz.* the Spiritual and the Carnal; " that the Spiritual Church is in thoſe Men who live in perfect Poverty, and " in Humility, and ſpiritual Obedience to God, ſuch as they are who imitate " the Life of the Apoſtles and Chriſt: That the carnal Church is of thoſe " who live carnally, and in the Delights of the Fleſh, and in Riches and in " Honours, and in Pomp and Glory, ſuch as are the Biſhops and Prelates of

" the Church of *Rome*, who don't renounce the Things that they poſſeſs, nor " give the Goods of the Church to their Parents, Kinsfolk, and Friends. This " Church he ſays is that carnal Church of which *John* ſpeaks in the *Revelations*, " which he calls *Babylon* the great Whore. *Item*, It is that Beaſt of which " *John* there ſpeaks, which hath ſeven Heads and ten Horns, becauſe ſhe hath " ſeven mortal Sins, and keeps not the ten Commandments. *Item*, It is that " Woman of which *John* there ſpeaks, which had the Golden Cup in her Hand, " full of the Abomination of Sins. *Item*, He expounds the double State of " the Church, where, amongſt other Things, he ſays, that there can be no " Sanctity where there is not true Poverty. So that from the Time that the " State of Poverty of Chriſt and his Apoſtles was changed under Pope *Silveſter*, " Sanctity was taken away.

" Afterwards the aforeſaid *Peter* being judicially required that he would " ſwear to ſpeak the Truth, ſhowed himſelf very backward to ſwear, ſaying " that he was afraid for his Conſcience, and ſaying to the Inquiſitor, that he " ſhould ſee and beware of ſinning by making him ſwear, becauſe God had " forbidden Swearing in the Goſpel. *Item*, After ſome Days the aforeſaid *Peter* " being judicially required that he ſhould take an Oath to ſpeak the Truth, " would not, and wholly refuſed to ſwear, ſaying that he repented that he had " ſworn before the Inquiſitor, and believed that he ſinned by ſwearing, ſaying " that his Conſcience was confirmed that he ought not to ſwear, and in this " Obſtinacy he continued for a Month and more, ſaying that St. *James* in his " canonical Epiſtle, and *Chriſt* in the Goſpel, had forbidden us to ſwear, and " he read the Words of St. *James* in his canonical Epiſtle, and the Words of " the Goſpel. And when it was ſaid and expounded to him that the Apoſtle " *Paul* ſwore, and the Angel, and that the Catholick Church had determined " that it was lawful to ſwear for Affirmation of the Truth, and that it was " the Decree of the Church, that whoſoever, thro' a damnable Superſtition, " ſhould refuſe an Oath, and will not ſwear, ſhall for this alone be adjudged " Hereticks, and ſuffer the juſt Puniſhment of ſuch, notwithſtanding the afore- " ſaid, he the ſaid *Peter* abſolutely refuſed to ſwear, ſaying that the making " ſuch a Statute or Order ſeemed to him erroneous. Being interrogated, if " he believed that the Pope, the Vicar of *Chriſt*, could make any Statute or " Order, by which he and other Chriſtians ſhould be obliged, ſince the Pope " hath the Power of Binding and Looſing on Earth, he anſwered that he " heard a certain learned Paſtor ſay, that ſome miſunderſtood theſe Words of " the Goſpel, *Whatſoever ye ſhall bind on Earth*, &c. becauſe they were ſo to " be underſtood, that as the Pontiff or Prieſt in the Old Teſtament was to " judge between Leproſy and Leproſy, ſo the Pope and Biſhops have no " other Power but to diſcern between Sin and Sin, *i. e.* between thoſe who " are to be bound, and thoſe who are to be looſed, becauſe otherwiſe " they take upon them the Pride of the *Phariſees*, becauſe they mortify Souls " they ought not to mortify, and enliven Souls they ought not to enliven.

" Some Days after this he oftentimes obſtinately refuſed to ſwear, tho' at " length, with great Difficulty, he conſented to ſwear the 7th of the Calends of

" *November*. Afterwards on the 4th of the Nones of *November*, the ſaid *Pe-*
" *ter*, being judicially interrogated if he believed that the Lord the Pope could
" forbid, under the Pain of Excommunication, any Perſon to hold the ſaid
" Order of thoſe that call themſelves Apoſtles, which the before-named *Ge-*
" *rard Segarelli* is ſaid to have begun. *Item*, If he believed that they who acted
" contrary to the foreſaid Inhibition of our Lord the Pope under Pain of Ex-
" communication, did incur the Sentence of Excommunication; he anſwered,
" that St. *Gregory* ſays, that if any one excommunicates another unjuſtly, he
" doth not excommunicate that Perſon, but condemns himſelf.

" Being interrogated, if he believed that the Pope, by reprobating and
" condemning the Order of thoſe that call themſelves Apoſtles, and excom-
" municating them who will not forſake it, doth unjuſtly; he anſwered, that
" he did believe that the Pope did unjuſtly and againſt God in ſo doing, be-
" cauſe they who call themſelves Apoſtles were approved of God the Father,
" and that God had done ſeveral Miracles for them, as he heard ſay, and be-
" lieves to be true; and ſaid, that he believed that the Inquiſitors, and Reli-
" gious and others who perſecute thoſe who hold the ſaid Order of the Apoſtles,
" do ſin; and to prove this, alledged Words and Examples, according to his
" own Underſtanding, and would not ſwear, ſaying he had ſworn too much
" already. Finally, the foreſaid *Peter* being judicially required to abjure the
" Sect and Order of thoſe falſe Apoſtles, refuſed to do it, ſaying, that if he
" ſhould ſwear, he ſhould act againſt his Conſcience, and perhaps not obſerve
" what he had ſworn to, and ſo ſhould ſin; and perſiſted in his firſt Opinion,
" that God had abſolutely prohibited ſwearing.

However, at laſt they made him ſolemnly abjure.

In the mean while, the Inquiſition raged with no leſs Cruelty againſt the *Al-bigenſes* and *Valdenſes* in the Kingdom of *France*, eſpecially in the County of *Tho-louſe*. The Penitent were condemned either to wear Croſſes, or to perpetual Impriſonment, and the Impenitent burnt without Mercy. *Thol. Inq.*

At the ſame Time the Order of the Templars was ſuppreſſed by the Command of Pope *Clement* V. *Philip* the Fair, King of *France*, had accuſed this Order of various Hereſies and Wickedneſſes before *Clement*. And as it ſeemed very hard utterly to aboliſh ſo famous and rich an Order, and which had done ſuch excellent Service for the Defence of the Faith, their Cauſe was debated in ſeveral National Councils. At laſt *Clement* held a General Council at *Vienna*, where the Affair being throughly examined, they were condemned for various Hereſies and abominable Crimes; which whether they were true, or whether the People envied them for their immenſe Riches, or whether King *Philip* thirſted after them, 'tis not eaſily to be determined.

After they had been thus condemned in the Council of *Vienna*, all that were in *France* were apprehended at once, as it were by a Signal, and before the third Year on the 13th of *October* put to the Torture. Moſt or all of them, either thro' the Love of Life, or Conſciouſneſs of their Wickedneſs, confeſſed the Bzovius, *a.* 1311. §. 8.

the Crimes they were accused of. Many were condemned and burnt alive. Amongst these, *John Mola*, a *Burgundian*, chief Master of the Order, when after his Sentence he was carrying to Punishment, declared, in the most pathetick Manner, his own and his Order's Innocence, even tho' he was promised Life and Impunity, if he would openly and humbly ask Pardon, and retract every thing that he had confessed against that Order before, begging Forgiveness for his false Confession.
§. 9. The next Year Letters were sent by the Pope, in which he commission'd the Archbishops of *Compostella* and *Toledo* to make Inquisition against the Templars in *Castile*, joining with them *Eymerick* the Inquisitor, a Predicant, and other Prelates. In *Aragon* the same Affair was committed to the Bishops *Raymond Valentinus*, and *Somenus Cæsar Augustanus*. The same was done in all the other Provinces of the Christian World, with this Expedient, that as this Inquisition was made concerning the most weighty Affairs, they should be cognizable only in Provincial Councils. Many of them were put in Irons, and imprisoned in *Aragon* and *Castile*. At *Salamanca* there was held a Council of the Fathers, where there being a Debate concerning the Petitioners in Bonds, and their Cause throughly understood, they were pronounced Innocent by the common Suffrage of the Fathers. Nevertheless the Determination of the whole Affair was referred to the Pope, and the Council of *Vienna*. On this the Bishops and Inquisitors of the Faith, from *Spain*, *Italy*, *France*, *England*, *Germany*, and other Kingdoms and Provinces, put the Informations into Publick Writing, and proposing them at the first Session of the Fathers at the Council of *Vienna*, demanded a Re-hearing of the whole Cause of the Templars, and at length the Fathers decreed that that Order should be suppressed; and by their Advice Pope *Clement* publish'd an Edict
a. 1312. the 6th Nones of *May*, *An.* 1312. by which he suppresses and dissolves the Or-
§. 2, 3. der of the Templars, not by a definitive Sentence, but by an Apostolick Provision or Ordination, and reserves all their Effects to the Disposal and Appointment of the Apostolick See. When this Edict came to the several Provinces, the Effects of the Templars were every where seized, and they themselves severely punished.

Raynald. *a.* 1312. §. 21. Bzovius, *a.* 1307. §. 9. *a.* 1315. §. 11.

In the same Council large Power was given to the Inquisitors of heretical Pravity and the Bishops, of proceeding against Hereticks. One *Walter*, a *Lollard* in the City of *Crema*, and Dutchy of *Austria*, had many Followers, who, according to some, had their Rise from *Dulcinus*, who at the Command of Pope *Clement* were burnt by the Inquisitors, in that City and other Places. Their Number was large in *Bohemia*, *Austria*, and the neighbouring Countries. Some affirm they were 80000. Many of them were burnt in several Places of *Austria*, who all of them persevered in their Opinions with great Chearfulness to their Death. And therefore, to extinguish both the old Hereticks, and the new ones that might possibly arise, ample Power was given by the *Vienna* Council to the Inquisitors and Bishops, to proceed against those who were defiled with that Impurity, and Prisons were order'd to be built to secure them in Chains.

In *Bohemia* the Office of the Inquisition was committed to *Peregrine Oppoliensis* and *Nicholas Hippodines*, Predicants; and to *Coldas* and *Herman*, Minorites; who were commanded to manifest an holy Ardour against the Guilty. The Pope exhorted *John* King of *Bohemia*, *Uladislaus* Duke of *Cracow*, *Boleslaus* Duke of *Wratislaw*, and the Marquis of *Misnia*, that they should not suffer Religion to decay and be obscured by new Errors, but that they should assist the Censors of the holy Faith. Fourteen Men and Women were burnt in *Bohemia*. *Walter*, the Principal of the Sect of the *Lollards*, was burnt at *Colonne*, *An.* 1322. Raynald. *a.* 1319. §. 43. Bzovius, *a.* 1317. §. 37.

About the same Time Pope *John*, by a Letter, Nº 190. renewed the Constitutions of *Clement* IV. and other his Predecessors, against the *Jews*, and confirmed by severer Laws the Power given to the Inquisitors against them, and commanded the Book of the *Talmud* to be burnt, and such who were convicted of their execrable Blasphemies to be punished. Bzovius, *a.* 1319. §. 9.

Nor did he shew less Severity against the *Valdenses*, reviving about that Time in *France*: For he ordered that many of them, who were convicted of Errors by the Inquisitors, who were Predicant Friars, should be delivered to the Princes to be punished according to the Ecclesiastical Law. There is extant in the *Vatican* Library a large Volume of the Transactions of these Predicant Friars against Hereticks in the Kingdom of *France*, this Year of our Lord 1319. §. 10.

CHAP. XIX.

The INQUISITION *against the* BEGUINS.

THE same *John* XXII. condemned the *Beguins* of Heresy, and commanded the Inquisitors of Heretical Pravity to proceed against them, and to deliver over to the Secular Court all who continued obstinate in their Error, to be punished with Death.

These *Beguins* were Monks of the Order of St. *Francis*: They are several Times called, *of the third Rule of St.* Francis. His Rule was, that the Friars of his Order should have no particular Property of their own, neither House, nor Place, nor any thing, but should live by begging: This he called Evangelick Poverty. This Rule was confirmed and approved by several Popes. But as many believed the Observance of it to be above all human Strength, many Doubts arose concerning it; some contending that they were to renounce the Property of all Things in particular, but not in common, and that it was no ways contrary to the *Franciscan* Poverty to have the Possession of Things in common, so that they possessed nothing in particular. But *Nicholas* III. condemned this Opinion by a Constitution, beginning, *Exiit qui seminat*. However, tho' all Property was taken from these Friars, as well in common as in special, yet were they *Sext. Decret. de verb. sign. cap.* 3.

they not deprived of the Use of what they had. For *Martin* IV. published a Bull, *Feb.* Cal. 10. 1282. by which he ordained that the Property, the Right and Dominion of every Thing which the Friars had by Donation or Legacy, should be in the Church of *Rome*; but that the Friars should have the Use. He also allowed the Ministers and Keepers of the Order, the Faculty of naming Administrators, Stewards, Syndicks, who in the Name of the Church of *Rome*, and for the Advantage of the Friars, may receive and demand Alms and Legacies, and sue for the Recovery and Preservation of them. *Clement* V. confirmed the same in the Council of *Vienna*, by a Constitution, beginning, *Exivi de paradizo*, extant among the *Clementines*. However, *Clement* allow'd, that when it appeared very likely, even from Experience, that they could not otherwise secure the Necessaries of Life, they might have Granaries or Storehouses, in which they might reposit and keep whatever they could get by begging. He left, indeed, the Ministers and Keepers to judge of such Necessity, and gave it in special Charge to their Consciences.

Against this, those who were called *Beguins* protested, declaring they were of the third Rule of St. *Francis*. They contended that the *Franciscans* ought in no Case to have Granaries or Storehouses, because this was contrary to the Perfection of the *Franciscan* Poverty; that the Pope had not Authority to dispense with the Rule of *Francis*, and that if he did, his Decrees were of no Force, and might justly be disregarded. One of them who lived at this Time, *Peter John Olivus*, who wrote a Postill on the Apocalypse, applied to the Pope and Church of *Rome* the Things spoken of the Beast, and the Whore of *Babylon*, of which frequent Mention is made in the Collection of the Sentences of the *Tholouse* Inquisition.

John XXII. succeeded *Clement*, who, by several Constitutions, condemn'd the Tenet of the *Beguins*, and allowed the *Franciscans*, that by the Judgment of the Heads of the Order they might lay up and preserve Corn, Bread and Wine in Granaries and Storehouses. The *Beguins* believed that such a Concession derogated from the Sublimity and Perfection of their Rule and Poverty, and therefore warmly opposed it; and in order to defend their own Rule, dared to deny the Authority of the Pope: Upon this Account they were declared Hereticks, and Commandment was given to the Inquisitors of heretical Pravity, to bring them before their Tribunal, and to proceed against them as Hereticks. This was a bloody Decree, beginning, *Gloriosam Ecclesiam*, in which the Pope gave the Inquisitors these special Commands: *Call before you, by the Ecclesiastical Censure, all and singular received by them to their Sect, especially such as are professed; examine them concerning the Faith, and enquire carefully and diligently, by your selves or others, without Noise and the Form of Judgment, concerning the Errors of the aforesaid, and search after their Complices and Abettors; and if there be need, order them to be taken up and confined, making Use, when there is Occasion, of the Assistance of the secular Arm. Compel Gainsayers and rebellious Persons, by the Ecclesiastical Censure; and by a like Censure oblige such Witnesses as you shall think proper to examine upon the Premises, to give their Testimony to the Truth, without allowing to them the Liberty of Appeal.*

Appeal. Furthermore we will, and by our Apostolick Authority decree, that any one of you may prosecute the Affair or Article, though begun by another, even although he who begun it, should be under no canonical Impediment; and that from the Date of these Presents, you, and every one of you, shall have perpetual Power and Jurisdiction in all and singular the Premises, even though not begun, present, and future; that ye may be able to proceed against the aforesaid with that Vigour and Firmness in the Premises, though not begun, present and future, as though your, and every one of your Jurisdiction, in all and singular the Premises, had been perpetuated by Citation or other lawful Manner; notwithstanding the Edicts concerning the two Days Journey, made in a general Council, and of Pope Boniface VIII. *our Predecessor of blessed Memory, by which, as well the Judges as the Conservators, deputed by the aforesaid See, are prohibited from proceeding themselves, or putting others in their Room, without the Cities and Dioceses in which they were deputed, and from forcing any Persons more than one Days Journey from the Bounds of such Diocese; and any other Constitutions to the contrary notwithstanding.* This Decree was dated from *Avignon*, *Feb.* Cal. 10. 1318. Soon after four Friars Minors, about the Year 1318. were condemned and burnt as Hereticks at *Marseilles* by the Inquisitor of heretical Pravity, who was himself a Friar Minor, because, as they say, they were resolved to adhere and keep to the Purity, Truth and Poverty of the Rule of St. *Francis*, and because they would not consent to make the Rule less strict, nor receive the Dispensation of the Lord Pope *John* XXII. made concerning it, nor obey him nor others in this Affair. Others of the same Order assert, that these four were unjustly condemned, and affirm them to be glorious Martyrs, and that the Pope, if he consented to their Condemnation, was an Heretick, and forfeited his Power. Upon this, the three next Years, *viz.* from the Year 1318. or thereabouts, they were all condemned for Hereticks by the Judgment of the Prelates and Inquisitors of heretical Pravity in the Province of *Narbonne*, *Beziers*, *Lodun* in the Diocese of *Agde*, and at *Lunelle*, and the Diocese of *Magalone*, who believed that the aforesaid four Friars Minors were holy Martyrs, and who believed and held and thought as they did concerning Evangelical Poverty, and the Power of the Pope, *viz.* that he lost it, and was become an Heretick. Many however privately gathered up the burnt Bones and Ashes of these four Friars, who had been condemned as Hereticks, and kept them for Reliques, and kissed and worshipped them as the Reliques of Saints; yea, some marked their Names and the Days in which they suffered in the Calendars. This Account of *Eymerick* agrees well with what we read of the *Beguins* in the Sentences of the *Tholouse* Inquisition. Amongst other Things, we read *Fol.* 155. in the Sentence of *Peter Moresius de Bello Podio*, that *he believed, that* John XXII. *who was then Pope, and whom he calls the Boar of the Forest, had destroyed the Inclosure of the Church; and done more harm to the Church of God, than all former Hereticks had done.* In the 156th *fol.* 'tis ascribed to *Bernard de na Jacina*, that *he said twice or thrice, when he was speaking about the Pope's Power to dispense with the Rule of* St. Francis: *Do you believe that if the Pope bound the Tail of an Ass upon Earth, the Tail of an Ass would be bound in Heaven?*

Eymer. *Direct. Inq. Par.* 2. *Quæst.* 15.

Thus, from a Controversy originally of no Moment, rose up at length, thro' the Warmth of Men's Minds, a dismal Tragedy; and after the Pope's Authority began to be called in question, a severe Persecution was raised against the *Beguins*. In the Book of Sentences of the *Tholouse* Inquisition there are several Sentences pronounced against the *Beguins*, by which they are declared Hereticks, and delivered over as such to the secular Court. One of these Sentences I will transcribe at large.

" *Peter Dominicus* being examined, hath judicially confessed all the Er-" rors of the *Beguins*. *Item*, He believes and asserts that the Lord Pope can-" not grant to the Friars Minors the Power of having Repositories and Gra-" naries to keep Corn or Wine. *Item*, That he neither can nor could " make or cause to be made such a Constitution or Declaration, and that it " ought not to be obeyed if made, because contrary to the Vow of the Friars " Minors. *Item*, That he can't grant to the Friars Minors, according to " God, to carry great Habits, large or died. *Item*, That he cannot, by " his Plenitude of Power, make it lawful for a Friar Minor to become a Friar " of another Religion or Order, where he may have Possessions, or any " thing in common, and that a Friar Minor ought not to obey the Pope in " this, and that the Pope would sin in granting such a Dispensation. *Item*, " That the Pope can't give Leave, that a Friar Minor, when made a Bishop, " may become Lord of the Temporalties of his Bishoprick, or handle Money " with his Hand, because he ought to dispense and administer all moveable " Effects by another to the Poor. *Item*, He believes and asserts, that the " Gospel of *Christ* is the Rule of St. *Francis* in Chastity, Poverty, and Obedi-" ence, and that the Pope can't dispense with these three, or any one of them; " and that if he should grant a Dispensation, he would act contrary to the " Life of *Christ*, and against the Gospel. *Item*, That the Pope can't dis-" pense in any Case, that any Person under the Vow of Virginity or Chastity, " whether that Vow be single or solemn, may marry; and that if he should " actually dispense, he would herein sin, and not do according to the Power " given him of God, which Power he says is for the Nourishment of Virtue, " and to be a Remedy against Sin. *Item*, That if the Pope should dispense in " the foresaid Case that such Person should marry, it would not be Marriage, " but Fornication or Adultery and Sin, and that the Children so born would " be adulterous and illegitimate. *Item*, That the Pope can't make any De-" cretal or Constitution which may dispense with the Vow of Virginity, or " Chastity or Poverty, in any Case whatsoever, altho' some very great Good " might hereby happen to the Community, such as the restoring Peace to any " Kingdom or Province; and that if the Pope should make such Decretal or " Constitution, it ought not to be obeyed, neither would he obey it. *Item*, " He asserts that he believes and holds that the four Friars Minors who were " condemned as Hereticks about four Years ago at *Marseilles*, by the " Judgment of the Inquisitor of heretical Pravity, after mature Advice; " and also that the *Beguins* or Friars of the third Order of Penitents, or

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" third Rule of St. *Francis*, who were condemned as Hereticks by the Judgment of the Prelates and Inquisitor of heretical Pravity of *Carcasson*, for three, two, and one Year past, in the Province of *Narbonne*, and in divers Places and Cities, were and are Catholicks at the Time of their Condemnation, and were Martyrs, and suffered for supporting the Gospel Truth. *Item*, That all those who condemned them, *viz.* the Prelates and Inquisitors, and all who consented to the Condemnation of the aforesaid, and even the Lord the Pope, if he consented to it, did err, and are become Hereticks, and will be damned unless they repent. *Item*, That our Lord Pope *John* XXII. is a wicked Man and an Heretick, and is without the Church of God for this Reason, because he persecuted the poor *Beguins* of the third Rule of St. *Francis*. *Item*, That he hath lost totally the Power of his Jurisdiction of Binding and Loosing, and that he doth not think him to be Pope, nor that he is subject to him, because he condemns, or consents to the Condemnation of the *Beguins*, as Hereticks. *Item*, That all those who agree and believe that the Pope did well in persecuting the aforesaid *Beguins*, are wicked Men and Hereticks. *Item*, That he would not confess his Sins to any Bishop or Prelate, who consented in the Condemnation of the aforesaid *Beguins*; and that if he should confess to any one of them, he doth not believe that they can absolve him from his Sins. *Item*, That he would not receive any Sacrament from any Prelate, who obstinately opposes the Deed of the aforesaid *Beguins*, saying, that every such Bishop hath lost the Power of conferring the Sacraments. *Item*, That all are Hereticks who obstinately believe and hold contrary to those Things which he hath confessed, and asserts that he believes and holds. *Item*, That all who believe and hold the Things which he believes and holds, and are under the Commands of God by keeping them, are faithful, and the Church of God. *Item*, That it is much greater Perfection for these *Beguins* to live by Begging, than to live by Labour, or the Work of their Hands, altho' the said *Beguins* do not labour in preaching the Gospel. *Item*, That he would not obey the Pope, if he should command him not to beg, or otherwise to live by his own Labour; and that he would not part with the Habit of the *Beguins*, which he wears, at the Command of the Pope. *Item*, That he believes and holds and asserts, that the Pope can't destroy or abolish any Order formerly confirmed by the *Roman* Church. *Item*, He asserts that he believes and holds, that the whole Doctrine and Scripture of Friar *Peter John Olivi*, of the Order of Friars Minor, is true and catholick, according to the Understanding which he had therein, as he believes, that the Doctrine of St. *John* the Evangelist is faithful and catholick, according to the Understanding which he had therein; and adds, that he believes that as *John* the Evangelist is in *Paradise*, so he believes that the aforesaid Friar *Peter John* is in *Paradise*, altho' St. *John* hath the greater Glory. *Item*, He asserts, That if the Pope should condemn the Doctrine or Scripture of the aforesaid *Peter John*, he should not think it to be condemned, tho' he should condemn it by a thousand Bulls, and altho' he should condemn it with the

" Advice of the Cardinals, and all the Prelates, and even of a whole General " Council. *Item*, That he would not believe the Pope, ſaying to him, that " the Doctrine of the ſaid Friar *Peter John* contains Errors and Hereſies, " nor obey the Pope if he ſhould command him to recal what he had ſaid " on this Head; and that if for this he ſhould excommunicate him, he " ſhould not therefore think himſelf to be excommunicated. *Item*, He aſ- " ſerts that he believes and holds thoſe Things to be true, which Friar *Pe-* " *ter John* wrote, in a Poſthil upon the Revelations, of *Babylon* the great Whore " ſitting upon the Beaſt, by which he underſtands and expounds it to be the " Church of *Rome*, which he ſays is *Babylon* the great Whore and the carnal " Church. *Item*, He ſays, that the ſaid *Roman* Church, under the Name of " *Babylon*, is to be damned, and rejected, and exterminated by *Chriſt*, in " that ſixth State of the Church, which now is; and ſays, that the ſpiritual " Church is to be begun and reſtored by the Rejection of the carnal Church, " even as the old Synagogue of the *Jews* was rejected by *Chriſt*, when the Go- " ſpel of *Chriſt* and the primitive Church began. Therefore we the aforeſaid " Inquiſitors, *&c.* leave him, as relapſed, to the Arm and Judgment of the " Secular Court, *&c.* But we will and command that if the aforeſaid *Peter Do-* " *minici* ſhall humbly aſk, and truly repent, he ſhall receive the Sacrament " of Penance and the Euchariſt. *

Bzovius, a. 1322. §. 1. But this Affair did not end here. Friar *Berengarius*, in a Council of many Divines and Lawyers, ſummon'd by the Biſhop and Inquiſitor at *Narbonne*, defended the Cauſe of the *Beguins*. Friar *John Bemmius*, a Predicant and Inquiſitor, pronounced this heretical, and ordered *Berengarius* to recant. He refuſed, and appealing to the Apoſtolick See, went to *Avignion*, and gave the Pope an Account of the whole Affair, who kept *Berengarius* in honourable Cuſtody, and propoſed it afterwards to all the Academies, and the moſt learned Men all over the World, as a Queſtion fit to be debated, Whether it was not to be eſteemed heretical, obſtinately to affirm, that our Lord *Jeſus Chriſt*, and his Apoſtles had nothing in ſpecial or in common? After the Queſtion was propoſed, that all might give their Opinion with greater Freedom, he ſuſpended the Anathema publiſhed by *Nicholas* IV. againſt the Interpreters of this Senſe, and of the Rule of St. *Francis*, and gave to all free Power to diſpute, write, and give their Senſe concerning the Theſis. In Decretal. *Exiit.*

* Beſides the Tenets charged upon the aforeſaid *Beguins*, there are others imputed to them of a very flagitious Nature; *viz.* that to kiſs Women and embrace them, provided they did not conſummate the carnal Sin, was greatly meritorious, and an Argument of Fortitude and Abſtinence, and of a ſtrong and acceptable Love of God, and the trueſt Proof that each Party was reſolutely virtuous; and that whatever Lies any Man told a Woman to gain her Conſent to his Deſires, was not Hereſy, ſo that he believed in his Heart that the carnal Act was Sin; even tho' to gain her Conſent he ſhould tell her, that the carnal Act was meritorious, and for the Safety of her Soul, yet that it would not be Sin, if he held the contrary in his Heart. And agreeable to this was their Practice, putting themſelves naked in Bed with naked Women, kiſſing and embracing them in a very lewd manner, boaſting of their Continence and Reſolution, becauſe they abſtained from the laſt carnal Act. Theſe, and many Things of the like kind, are to be found in the Sentence of one *William Ruffi*, in the Book of the Sentences of the *Tholouſe* Inquiſition, *fol.* 196. *b.*

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The Friars Minors met at *Perouse*, from all the Provinces of the Christian World, about the next *Whitsontide*. There was present *Michael Cæsenas*, General of the Order, and other Provincial Ministers. Being admonished by some Cardinals, that they should give their Opinion in this Affair agreeable to the Sense of the Fathers, they replied thus: *Adhering firmly and wholly to the Determination of the holy* Roman *Church, we say and confess with one Heart and Mind, that to say and assert, that* Christ, *shewing the Way of Perfection, and his Apostles following the same Way of Perfection, and giving an Example to others who are willing to live perfectly, had nothing by Right of Property and Domain, no proper Right, whether special or in common, is not heretical, but sound, catholick, and faithful: Especially as the holy* Roman Catholick *Church, which is proved never to have deviated or erred from the Path of Apostolick Tradition, says this expresly, affirms, and manifestly determines it.* Extra de verb. signif. Exiit. l. 6. xxiv. *q.* 1. *a recta*, &c. *pudenda in fi.*

When this Rescript of the Chapter was seen, by which the Opinion of the *Beguins* was approved, the Pope published an Edict concerning the Use of Things distinct from Property, beginning, *Ad conditorem Canonum.* But whn Friar *Bonagratia Bergomensis*, made by the Chapter Procurator of the Order, protested against the Pope, and appealed to a future Pontiff, or Oecumenical Council, which Appeal was judged to be insolent; the Pope by a Decree, beginning, *Cum inter nonnullos viros scholasticos*, declared it to be heretical to assert, that our Saviour and his Apostles had no Right to use or consume the Things which the sacred Scriptures testify they had, nor any Right to sell or give them, or procure other Things by them.

But as *Cæsenas* did not acquiesce in this Sentence of the Pope, but opposed the Papal Constitutions, being assisted by the Friars *Bonagratia Bergomensis*, *Peter Corbarius*, and *William Ockam*, an *Englishman*, in the Year 1329. *May*, Cal. 12. he was declared by the Pope to be a Favourer of Hereticks, an open Heretick, an Arch-heretick, and a Schismatick, and degraded from all Offices, Dignities, and Honours whatsoever, and deprived of the Ecclesiastical Privilege, and declared incapable of any, and subjected to all the Punishments and Sentences, Spiritual and Temporal, to which the Favourers of Hereticks, Arch-hereticks, and Schismaticks, are liable, by Divine or Ecclesiastical Law. The Friars Minors being gathered together in a General Chapter at *Paris*, after they had pronounced *Cæsenas* entirely degraded, and put *Gerard Odonis* into his Place, published this Sentence of the Pope, and declared that both he and his Companions had incurred the Penalties of Excommunication and Privation, as notorious and manifest Apostates, which by the Statutes of the Order are well known to be inflicted on those Friars who withdraw themselves, and apostatize from the Obedience of the Order. This Sentence of the Order being sent to the Pope, he again pronounced *Cæsenas* guilty of various Crimes and Heresies, and condemned him, *December*, Cal. 16. of the same Year. *Corbarius*, terrified with this dreadful Sentence, confessed his Errors, and after having read his Confession and Abjuration of his Errors, and sworn to obey the Apostolick Commands, he obtained the Benefit of Absolution from all Sentences, either of the Law or Men. Bzovius, *a.* 1329. §. 5, &c.

Cæsenas

a. 1330. *Cæsenas* however not terrified by these Denunciations, asserted notwith-
§. 6. standing, that he was General of his Order, and a Catholick, and lived safe from the Papal Violence with his Followers, under the Government of *Lewis* of *Bavaria*. Upon which the Pope renewed his Curses against them, and cited them by a peremptory publick Edict, to appear personally before him, before the Feast of the Ascension of our Lord, to hear their
a. 1331. Sentence. But as they defended themselves against the Accusations and Pro-
§. 1, &c. cess of the Pope, by the Apologies they publish'd, *Gerard Odonis*, General of the Minorite Order, sententially condemned them as Favourers of Hereticks, Hereticks and Arch-hereticks, and not only deprived them of the Privileges, Graces, Benefits, Habit, Company and Favour of the Order, but condemn'd them to perpetual Imprisonment. He commanded also all and singular the Keepers and Guardians of Convents, in Virtue of their salutary Obedience, that they should publickly declare them in full Convent every Week deprived and excommunicate, and sententially condemned. And finally, Pope *John* publish'd against them the thirty eighth, and
a. 1335. the two hundred fifty ninth Sanctions. His Successor *Benedict* XII. in the
§. 4. Year 1335. and first of his Pontificate, renewed the Curses that *John* XXII. had pronounced against the *Fratricelli* or *Beguins*, and their Complices, and thus render'd them more heavy.

CHAP. XX.

The PROCESS *against* Matthew Galeacius, *Viscount* Milan, *and others.*

Raynald. *a.* 1320. §. 13. *a.* 1322. §. 5, &c. Bzovius, *a.* 1322. *a.* 1324. §. 14.

DUring this Quarrel with the *Beguins*, Sentence of Excommunication was pronounced against *Matthew Galeacius*, Viscount *Milan*, and against his Sons and Followers. Hereby all the Cities and Lands, subject to their Government (as is declared in the Sentence against *Castruccius Gerius*) and of his Party were put under an Ecclesiastical Interdict, and many heavy Sentences publish'd against all Persons who adhered to them, favoured, obeyed or assisted them; and that solemn Indulgence, which was always granted to those who assisted in the Recovery of the Holy Land, was openly preach'd against them. The City it self was deprived of its Charter and all its Privileges and Immunities whatsoever; and all the Citizens and Inhabitants favouring the said condemned *Matthew*, given up to be seiz'd by the Faithful, to be made their Slaves by full Right, their Effects granted to any one that could lay hold of them, and their Debtors upon any Account freed from all their Debts, whatever Instrument or Oath they were bound by. Farther, all who sent or bought, or carried Provisions, or any other Things useful in Life, to the City of *Milan*, or who received Pay from them, were sententi-

ally

ally excommunicated. *Matthew* despised these Papal Censures, and continued more than three Years under Excommunication. To revenge this Contempt of his Censures, *John* XXII. prosecuted him for Heresy, as contemning the Authority of the Church, and her sacred Rites; and commanded *Aycard*, Archbishop of *Milan*, and the Inquisitors of heretical Pravity in *Lombardy*, to proceed with all Vigour upon the said Crime of Heresy; who after several Citations, at last pronounced the definitive Sentence against him; in which, amongst other Crimes this is imputed to him: *That he held erroneous Opinions about the Sacraments, and the Power of the Keys and Church; and had such an absolute Contempt of them, that he suffer'd himself to lie under several Sentences of Excommunication pronounced against him both by Men and the Law: He caused also the Ecclesiastical Interdict, which the said City of* Milan *was put under, for the Crimes of* Matthew, *to be several Times violated, by ordering the Bodies of dead Laicks to be buried in the Churches, and Church Yards, with tolling the Bells, even though the Ministers of such Churches were against it. He also caused the like to be done in those Lands and Places, which were held by his Sons, though put under the like Interdict.* At length they pronounce Sentence against him in these Words: *For these and many other Reasons, moving us justy and reasonably thereunto, invoking the Name of Christ, and sitting on our Tribunal, we pronounce the definitive Sentence; and by these Writings do sentence, decree and adjudge the aforesaid* Matthew, *Viscount* Milan, *absent through Contumacy, the divine Presence making up that Absence, a manifest Heretick: And we condemn the said* Matthew *as an Heretick; and by the same Sentence confiscate, and declare to be confiscated, all his Effects, moveable and immoveable, Rights, Jurisdictions, and all other Things belonging to him, where-ever they are, and by whatsoever Name they are called. We also deprive, and declare to be deprived, the said* Matthew *of his military Belt, Offices, publick Dignities and Honours whatsoever, and subject him to the Sentence of Excommunication, perpetual Infamy, and all other Penalties appointed, ordained or promulgated against Hereticks; and order his Person to be seiz'd by the Faithful. Moreover we deprive, or rather declare to be already deprived, the Sons and Grandsons of the aforesaid* Matthew, *of their Prelatures, Dignities, and other Ecclesiastical Benefices, either with Cure or without, and of all publick Offices and Honours whatsoever, which they are known to possess, and declare them to be for ever hereafter unworthy and incapable of holding Prelatures, Dignities, or other Ecclesiastical Benefices, either with Cure or without, and all publick Offices and Honours whatsoever.* This Sentence was pronounced *March* 14, 1322.

The Pope also commanded the Archbishop and Inquisitors, that they should proceed against all who adhered to Viscount *Matthew* and his Sons, as against Favourers of Hereticks condemn'd by the Church, and punish according to the Ecclesiastical Law, all who were convicted of being of his Party, and of the other Crimes. The Bishop of *Parma* and two Abbots publish'd these Sentences, and commanded the Anathemas to be every where proclaim'd; and order'd *Raymond Cardonus* to gather an Army to chastise the Rebels. Several Cities were taken, and the Viscount routed. The Senate and People of *Milan*

lan not enduring thus every Day to be condemn'd, and forbid divine Services, ſent twelve Men to the Legate, to beg Peace and Abſolution. *Matthew* quite broke by theſe Evils and others that threaten'd him, reſigned the Principality to his Son *Galeacius*, and order'd himſelf to be carried into the principal Church, where he complain'd that he was unjuſtly accuſed of Hereſy; and proteſting by an Oath that he was without any Crime deprived of divine Services, he appeal'd to God, the righteous Judge, that he was condemn'd moſt unrighteouſly by the factious Legate, and forced to abandon his Country. Thus departing from the City, and making the ſame Profeſſion the Day after in the Church of St. *John Baptiſt* at *Monza*, he fell into a Fever, and died ſome Days after with Grief and Sorrow. His Sons buried him in a private mean Place, concealing for ſome Time his Death, leaſt his Body ſhould have been burn'd, according to the Order of the Cardinal Legate and Inquiſitors, *October* 30. They uſed the moſt exquiſite Diligence to find it out, but could not diſcover it, though they pronounced many Anathemas againſt thoſe who knew where it was laid, and would not reveal it.

Bzovius, *a.* 1327. §. 7. The like Sentence was pronounced not many Years after by the ſame Pope, againſt *Marſilius Paduanus*, and *John Jandunus*, Aſſertors of the Imperial Authority againſt the unjuſt Uſurpations of the Pope, who pronounced them Hereticks, and manifeſt Arch-hereticks, and commanded all who followed their Doctrine, to be univerſally accounted as Hereticks. He farther enjoin'd all the Faithful that they ſhould not preſume to receive, defend, maintain, or afford, by themſelves, or any other or others, publickly or privately, directly or indirectly, any Aſſiſtance, Counſel or Favour to them, or any of them, but that they ſhould rather avoid them as manifeſt Hereticks. Finally, he orders the Faithful to ſeize on them, that they might proſecute them with a Zeal becoming the Faith; and to take them where-ever they could find them; and when taken, to deliver them to the Church, that they might undergo the deſerv'd Puniſhment.

CHAP. XXI.

The INQUISITION *introduced into* Poland, *and reſtored in* France.

AS nothing was more ſerviceable to enlarge the Papal Juriſdiction than the Office of the Inquiſition, the Popes were continually endeavouring to promote it; and to eſtabliſh it in thoſe Kingdoms and Countries, that hitherto had been free from ſo grievous a Yoke, that there might not be any Place of Shelter or Refuge in the whole Chriſtian World to ſuch as ſhould in the leaſt contradict their Decrees. *An.* 1327. Pope *John* XXII. by Letters to the King and Prelates of *Poland*, and to the Provincial of the Predicant Friars of the ſame Kingdom, appointed the Inquiſition in *Poland*, which in

Bzovius, *a.* 1327. §. 18, &c.

in the Year following, 1436. *Uladislaus Jagello*, King of *Poland*, confirmed and enlarged, by a Royal Edict, granting them the most ample Power, and commanding all the Magistrates to give them all Manner of Assistance in the Execution of their Office.

At this Time the Inquisition began to decline in *France*; but as there was a pretty large Number of the *Valdenses* remaining in *Daupheny*, and their Religion began to spread wider, *Gregory* applied himself to *Charles* King of *France*. He put him in Mind of the Examples of his Predecessors in destroying Hereticks, and admonished him to suppress the Nobles of *Daupheny*, who took the Hereticks under their Protection; and that he should support the Authority of the Inquisitors, not only by severer Edicts, but by sending some Royal Officer to their Assistance. King *Charles* yielded to the Pope's Desires; and after the Manner of his Ancestors, by a Royal Edict, commanded that Hereticks should suffer the severest Punishments; and that the Magistrates in *Daupheny* should assist and aid the Officers of the Holy Inquisition. *Antonius Massanus*, Apostolick Inter-nuncio, acted in this Affair with such Zeal, that the Prisons were scarce sufficient to hold the Criminals; nor was their Provision enough for their Support. *Gregory* having been consulted in this Matter, order'd, That as the great Number of Hereticks was owing to the Negligence of the Prelates, the Revenues of the Churches should be applied to that Use; and commanded new and stronger Jails to be built at *Arles*, *Ambrune*, *Vienne*, and *Avignon*, and granted Indulgences to the Faithful who should contribute to the Work.

Raynald. *a.* 1375. §. 26, 27.

From *France*, those who were called * *Turelupini*, went into *Savoy*: And therefore the Pope commanded *Amedæus*, Count of *Savoy*, to condemn them to the Flames, and assist the Inquisitors. *Bzovius* adds, *It came to pass, that this savage and brutal Sect was condemn'd, burn'd, and wholly extirpated this Year.* And again: *Many of these Hereticks were burn'd in* France *at the Pope's Command.* But this horrid Cruelty could not last long, and proved at last fatal to the Judges themselves. For in *Savoy* the Inquisitors were killed, by those unquestionably who were afraid that the like Cruelty would be practised towards themselves; which when the Pope heard of, he endeavour'd to render the Murderers hateful to Count *Amedæus*, putting him in Mind, that he had given a most excellent Example of defending the Faith by his Victories over the *Turks*, and recovering *Callipoli* from them; and that therefore he hoped he would not suffer the Blood of those Orthodox Prelates, who were slain out of a real Hatred to Piety, to be shed with Impunity.

Bzovius, *a.* 1372. §. 7.
Raynald. *a.* 1375. §. 27.

* Some of the Followers of the *Valdenses*; so called, according to Popish Writers, because they inhabited only those Places which were exposed to Wolves. *Du Fresne in Voce.*

CHAP. XXII.

Of WICKLEFF, HUSS, *and the* INQUISITION *against the* HUSSITES.

Bzovius, *a.* 1377. §. 8, &c.

ABOUT these Times *John Wickleff* arose in *England*, and not only opposed several of the Errors of the Church of *Rome*, but especially the exorbitant Power of the *Roman* Pontiff, vindicating the Rights of the secular Magistrates, and teaching that the Clergy were not exempted from their Jurisdiction and Obedience. The Pope, by his Letters to the University of *Oxford*, *commanded them by Virtue of their holy Obedience, and under the Penalty of being deprived of all Favours, Indulgencies, and Privileges, that had been granted them by the Apostolick See, that they should not suffer any one to defend* Wickleff's *Propositions, but should order* Wickleff *himself to be seiz'd, and send him in safe Custody to the Archbishop of* Canterbury, *and the Bishop of* London, *or one of them.* He also by Letters commanded the said Archbishop of *Canterbury* and Bishop of *London*, that *they should order* Wickleff *to be apprehended by the Papal Authority, and commit him to Jail, and put him in Irons under safe Custody, till farther Orders from himself upon this Affair.* And after mention of these Things out of his former Letters, he farther commands, *That if the aforesaid* John, *apprehending his being seized and imprisoned, should abscond, so that they could not apprehend and confine him; that then they should take Care peremptorily to admonish and cite him, in the Pope's Name, by a publick Edict, to be set up in one of the Colleges of* Oxford, *then in the Diocese of* Lincoln, *and all other publick Places, to appear and answer personally to his Propositions before the Pope, where-ever he should be, within the Space of three Months, to be computed from the Day of this Citation*; adding, *That whether the said* John *should appear or not, within the said Term, they should proceed against him upon the Premises, even to the Condemnation he had deserved, according as his Crimes should require, and as they saw fit for the Honour of God, and the Preservation of the Faith.* And in other Letters he commands them, *That they should endeavour to take* Wickleff's *Confession, and transmit it to him by a faithful Messenger, sealed with their own Seals, without shewing it to any one, and keep him in Irons till they should receive his farther Commands.* He sent also other Letters to *Edward* King of *England*, by which he requires and earnestly beseeches him, *That he would grant his Favour, Protection and Help to the Archbishops and Bishops, and others, employ'd in prosecuting this Affair.* All these Letters bare Date *June*, Cal. 11. 1377.

Raynald. *a.* 1388. §. 12. *a.* 1396. §. 9, &c. Bzovius, §. 6. Raynald. §. 17.

After the Death of *Wickleff*, *Richard* King of *England*, commanded by a solemn Edict, all his Writings to be burn'd, together with those of *Nicholas Hereford*, and *John Aston*. In the Year 1396. the Pope wrote to the King, and begged him to assist the Prelates of the Church in the Cause of God, of the King himself, and the Kingdom against the *Lollards*, and earnestly besought him that he would condemn those whom the Prelates should declare Hereticks. The same Year *Thomas Arundel*, Archbishop of *Canterbury*, and

Apostolick Legate, held a Provincial Synod at *London*, to extirpate the Heresy of *Wickleff*; in which were condemned eighteen of his Articles. After this the Archbishop used great Severity against those who maintained them, many of whom he condemned to the Flames. To such as abjured he appointed an wholesome Penance, that in the Time of publick Prayers, and in the open Market, they should go in Procession, only with their Shirts on them, carrying in one Hand a burning Taper, and in the other a Crucifix, and that they should fall thrice on their Knees, and every Time devoutly kiss it.

Soon after arose *John Huss* in *Bohemia*, and began publickly to reprove the dissolute Lives of all the Orders. Whilst he inveigh'd only against the Seculars, all the Divines applauded him; but when once he began openly to reproach them for their corrupt Manners and Vices, they abhorred and detested him, and used their utmost Endeavours to destroy him. At that Time, *An.* 1400. *Jerome* of *Prague* returned from *England*, and brought with him *Wickleff*'s Writings, which *Huss* approved. And since many others approved of them, out of Deference to the Doctrine and Authority of *Huss*, and defended the Articles of *Wickleff*; those Articles were again examined and condemned, *May* 24, 1408. by forty Masters, and an infinite Number of Batchelors, who prohibited, under the Penalty of the Bann, any Person to teach them. *Huss* was very desirous to render all this ineffectual; and therefore, as the Foreigners were divided into three Classes of Votes, and the *Bohemians* made the fourth, according to the Institution of the School, he so order'd it, that the *Bohemians* should be equal in Number of Votes to the other three: Upon which they left *Prague* with Indignation, and went into *Misnia*, and there condemned again *Wickleff*'s Books, and adjudged them to the Flames. Above 200 Volumes were burn'd, according to *Æneas Sylvius*, fairly written out, and adorned with golden Bosses and curious Binding.

Not long after this, *Huss* offer'd certain Theses to be publickly disputed, by which he opposed the Indulgencies which *John* XXIII. had granted to those who should engage in the Cruciad, which he had ordered against the King of *Naples*. *Jerome* of *Prague*, also shewed their Vanity. At length, after many Processes formed against the Memory of *Wickleff*, and against *Huss*, the Council of *Constance* assembled, and ordered *Huss* to appear before them, and give an Account of his Doctrine; and to prevent his not coming, *Sigismond* the Emperor gave him Letters of safe Conduct for his coming there, staying, and departure thence. In this Synod the Doctrine of *Wickleff* and *Huss* was condemned: Several learned Men were deputed to examine both their Doctrines, who when they had read their Books, pronounced that they had found forty five pernicious Articles in *Wickleff*, and thirty in *Huss*; which tho' they were not all of them equally impious, some being worse than others, yet all contained deadly Poison, and were altogether, or at least, in some Part, contrary to the wholsome Doctrine of the Church: Upon this the Synod not only condemn'd the Books, but pronounced Sentence against *Wickleff*, though dead, by which they declared him an Heretick, excommunicated him, and ordered his Bones, if they could be found, to be taken out of their Grave and

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burn'd. They also not only condemn'd *John Huss*, who came to the Council with Letters of safe Conduct from the Emperor; but in Violation of the publick Faith, order'd him to be burn'd alive. The Emperor, that he might have some Pretence thus to violate his Faith, made a Decree, that Inquisition might be made by a proper Judge of heretical Pravity, notwithstanding the safe Conducts granted by Emperors and Kings, &c. The Words of the Decree are, *Although they should confide in their safe Conduct, and thus come to the Place of Judgment, and would not otherwise have come; and that he who should make such a Promise, was not oblig'd by it as to any one, because he promised what was not in his Power.* Afterwards also *Jerome* of *Prague*, terrified with the dreadful Punishment of *Huss*, renounced at first, through humane Infirmity, the Doctrine of *Wickleff* and *Huss*; but soon recovered his Courage, and boldly asserted and defended it before the whole Synod; upon which they condemned him as a Relapse, and ordered him to be burn'd.

But since many of the Papists endeavour to wipe off this Infamy of having violated the Faith, I shall take this Occasion briefly to shew that the publick Faith was violated in the Case of *Huss*, by Command of the Synod. They deny that the Synod gave their Faith to *Huss*, and that 'twas only the Emperor; so that the Synod, which was the legal Judge of the Faith, might pronounce Judgment concerning *Huss*'s Doctrine, although the Emperor had given him Letters of safe Conduct; because the Affair of Heresy is wholly Ecclesiastical, and not within the Bounds of the secular Power. But the Charge is not, that the Synod violated the Faith by condemning *Huss* of Heresy, but because they caused him to be burn'd. The Power of the Synod, according to the Papists themselves, extends no farther than to their judging of the Faith, and pronouncing by their Sentence any one an Heretick and Obstinate, and throwing him out of the Bosom of the Church; after Sentence they immediately deliver him over to the secular Power, that he may inflict on him the Punishments appointed by the Civil Laws. In this Manner the Synod proceeded in the Cause of *Huss*. After they had declared him an Heretick, and degraded him in the Council, they added this Decree to their Sentence: *This holy Synod of* Constance, *considering*, N.B. *that the Church of God cannot proceed farther, decrees that* John Huss *shall be left to the secular Judgment, and given up to the secular Court.* Thus far therefore the Church performed her Duty: All the rest belonged to the secular Jurisdiction. But here the Emperor had taken Care for *Huss* his Security, by giving him Letters of safe Conduct, and therefore could not condemn him to be burn'd without violating his Faith: And therefore the Synod, to remove this Scruple from the Emperor, pronounced by their Decree, that he who bound himself by such a Promise was in no Manner obliged by it as to any one, because he promised what was not properly in his Power to grant. So that the Synod did not properly violate the Faith given by themselves, but pronounced by their Decree, that Emperors, Kings and Princes were in no Manner obliged by their Promises of safe Conduct, and that therefore they might with a safe Conscience break them, even when granted by publick

Letters,

Letters, at the Beck of the Council: And this is so manifest from the Decree of the Council of *Constance*, that *Simanca*, a *Spaniard*, proves from thence, that Faith is not to be kept with Hereticks: *Therefore*, says he, *Hereticks are justly burn'd with righteous Flames, by the most grave Determination of the Council of* Constance, *even though they had received the Promise of Safety.* And farther, *Bzovius* relates, that Pope *Martin* endeavouring to dissuade *Alexander*, General of *Lithuania*, from giving any Assistance to the *Bohemians*, thus, amongst other Things, writes to him in his Letter: *But if you have been any Ways engaged by Promise to undertake their Defence, know, that you could not give your Faith to Hereticks, who are Violators of the holy Faith, and that you will sin mortally if you keep it, because a Believer can have no Communion with an Infidel.* What can be clearer? I shall add nothing farther in so evident a Matter. It is enough that I have shewn that the Faith was violated by the Council of *Constance*, the Papists themselves being Judges, and indeed approving it.

De Cathol. Doct. tit. 46. §. 52. a. 1422. §. 3.

Wickleff, *Huss*, and *Jerome*, and their Doctrine, being thus condemned, *Martin* V. sent Letters to the Archbishops, Bishops, and the Inquisitors of heretical Pravity every where, beginning, *Inter cunctas Pastoralis curæ*, in which he tells them, *That in the Kingdom of* Bohemia, *the Marquisate of* Moravia, *and the neighbouring Places*, John Wickleff, John Huss, *and* Jerome *of* Prague, *Arch-hereticks, had risen up, and that the Council of* Constance *had condemned their Writings and Books. But whereas some of their Followers were in Possession of them; he commands, that all such Persons, and all who approved their Doctrines, and were their Abettors, should be delivered over as Hereticks to the secular Courts: That such who received them, if it were only through common Affection, or the like Causes, should be strictly prohibited: That the Impenitent should be severely punished. He commands Princes to banish them their Dominions. He orders manifest Hereticks, though not condemned, to be punished, and even suspected ones, if they would not canonically purge themselves. He farther commands the Princes to obey the Inquisitors. He orders suspected Persons to be interrogated upon the Articles of* Wickleff *and* Huss, which he afterwards subjoins witht he Interrogatories, *and to be cited for this Purpose. He commands this Bull to be publish'd, and that all* Sundays *and* Festivals *it should be publickly declared, that all Hereticks and their Abettors were excommunicated. That all who held the Errors of the aforesaid Arch-hereticks, and their Abettors, even though confessed, should be punished, if they refused to make a publick Abjuration, or to undergo the Penance enjoined them. Finally, he repeals every Thing contrary hereto.*

By this Decree the Inquisition was restored and established in the Kingdom of *Bohemia*, whereby many were condemn'd of Heresy, and put to Death by various Punishments: Some were burn'd alive, others thrown into the River, ty'd Hands and Feet, and so drowned; and others destroy'd by different Methods of Cruelty.

CHAP.

CHAP. XXIII.

Of the INQUISITION in VALENCE, FLANDERS, and ARTOIS.

Bzovius, a. 1419. §. 20.

HItherto the Kingdom of *Valence* had no particular Inquisitor of the Faith. The Inquisitor at *Roses* in *Catalonia* exercised the Holy Office in that Kingdom by his Vicars and Commissaries, so that they could not make so large a Progress in converting the *Jews* and *Moors*, of whom great Numbers lived there. And therefore Pope *Martin*, at the Request of King *Alphonsus*, by Letters dated at *Florence*, *Apr.* Cal. 6. 1419. decreed, that the Office of the Inquisition in the Kingdom of *Valence*, should, for the future, be governed and administer'd, without any Impediment, not by Commissaries and Vicars, but by an Inquisitor deputed by the Prior, to whom that Affair belongs, who is to reside there personally himself, and act as Principal.

Boxhorm. *Hist. Belg.* p. 42, &c. J. Le Clerc Dom. de Beauvoir.

About the Year 1460. the Inquisition raged cruelly in *Flanders* and *Artois*, against certain Persons, who were falsly accused of Magick, and being in League with the Devil, who, to render the *Valdenses* odious, were called *Valdenses*, and the Place in which they were said to have their nightly Meetings, *Valdesia*. At *Doway*, *Arras*, and other Places, many of them were thrown into Prison at several Times, at the Demand of *Peter Brussard*, Inquisitor, where being overcome with Torments, they confessed every thing they were charged with, and, amongst other Things, that they had given themselves to the Devil, adored him, and known him carnally, and other incredible Things of the same kind. When they were condemned to the Fire, they protested themselves innocent, and publickly declared with a loud Voice that they never were in *Valdesia*, as they called the Place of this nightly Meeting of Witches and Devils; but that they were deceived by their Judges, who by fair Promises of saving their Lives and Estates, if they would confess the Crimes objected to them, drew from them a false Confession of Crimes they were never guilty of. Others said, that they extorted a false Confession from them by Torments, finally beseeching the By-standers to pray for them to God, to whom they committed their Souls in the Midst of the Flames. But their Innocence afterwards appeared; for in the Year 1491. these miserable Creatures, with others thrown into Prison on the same Account, were declared innocent by the Sentence of the Parliament of *Paris*, and had their Effects restored to them, and their unrighteous Judges were severely fined.

CHAP.

CHAP. XXIV.

Of the SPANISH INQUISITION.

IN the preceding Chapters we have ſeen how the Inquiſition was brought into ſeveral Kingdoms of *Spain*, but as yet it had not been fixed in *Caſtile* and *Leon*, or was there grown into Diſuſe. *Ferdinand* and *Iſabel* having united the ſeveral Kingdoms of *Spain* by their Inter-marriage, after having obtained ſignal Victories over the *Moors*, order'd Tribunals of the Inquiſition to be erected throughout all their Kingdoms. It is not eaſy to be determined whether they did this out of their blind Zeal for Religion, or that they might poſſeſs their Kingdoms in greater Peace and Security, after having expelled the *Mahometan* and *Jewiſh* Superſtitions out of them, or, as ſome believe, becauſe they affected the univerſal Monarchy of *Europe*, and therefore, by ſome notable Undertaking, to ſhew their great Zeal for the *Roman* Religion, endeavour'd to ſecure the Good-Will and Favour of the Pope. However, as the Inquiſition had flouriſhed for many Years in *Italy*, *France*, *Germany*, *Poland*, and *Aragon*, they introduced the Inquiſition into all their Kingdoms by Authority of Pope *Sixtus*, with greater Pomp, Magnificence and Power, that they might not be exceeded by any Nation, but might rather exceed all others, in their Endeavours to maintain the *Roman* Faith againſt all Oppoſition. The Pretence was this:

That by the Licentiouſneſs of former Times great Corruptions had ariſen in the Kingdom, *Moors*, *Jews*, and *Chriſtians* promiſcuouſly converſing, and having all Sort of Commerce with each other; That by ſuch Commerce and Familiarity ſome Chriſtians might be eaſily infected, and others forſake the Chriſtian Worſhip which they had received, after having renounced their native Superſtition, being weak in the Faith, and having none to forbid them: The Infection was ſaid to have ſpread moſt at *Seville*, where many, after being privately put to the Queſtion, ſuffered the moſt grievous Puniſhments. The Occaſion was this: *Alphonſus Hojeda*, Prior of the Convent of St. *Paul* at *Seville*, a Predicant, had for many Years, in his Sermons to the People, bitterly inveighed againſt thoſe, who, leaving the Profeſſion of Chriſtianity, apoſtatized to *Judaiſm*. This Man was informed by a certain Citizen of the Family of the *Guſmans*, that on a *Thurſday*, during the Feſtival of the Sacrament, the firſt Vigil of the Night, ſeveral *Jews* and Apoſtates had got together in ſome Houſes, and there performed the *Jewiſh* Ceremonies, and uttered execrable Blaſphemies and Reproaches againſt our Saviour. All theſe Things *Guſman* ſaw with his Eyes in a private Part of a Houſe, where he concealed himſelf with a Girl. The Prior perſuaded *Guſman* to write all theſe Things down, and ſign them with his Name, and then immediately went and diſcover'd all to the King and Queen at *Cordova*. They ordered that the Affair ſhould be enquired into. Upon this the Prior put ſix of this Number into

Bzovius, *a.* 1478. §. 14.

Param. *l.* 2. *t.* 2. *c.* 3. *n.* 2.

Irons

Irons in the Convent of St. *Paul*, afterwards ſeveral more of them, and at laſt ſeverely puniſhed all of them, according to the Nature of their Offence. They who were the moſt guilty were burnt, after long Impriſonment and Torture; ſuch as were leſs guilty, had their Families render'd infamons; great Numbers had their Eſtates confiſcated, and were condemned to eternal Darkneſs and Chains. A large red Croſs, with Croſs Rays, upon a yellow Garment, which they call *San Benito*, different from the reſt, was put on moſt of them, as an Example to others, and by the Severity of the Puniſhment, to be a Terror to them. All theſe Things ſeemed at firſt grievous to the Provincials, but eſpecially that the Children ſhould ſuffer for the Parents Crimes, that People ſhould be render'd guilty by a private Accuſer, and condemned without being confronted with the Informer, contrary to the ancient Cuſtom, when Offences againſt Religion were puniſhed with Death. But what they looked on as the worſt was, that the Inquiſitors took away all Liberty of free Converſation, having their Spies in Cities, Towns, and Villages, which they thought to be the loweſt Slavery. Amongſt many different Judgments, ſome were againſt Death, tho' all thought very ſevere Puniſhments ſhould be inflicted. Amongſt theſe was *Ferdinand Pulgarius*, a Man of a ſharp and ready Wit, who wrote the Hiſtory of King *Ferdinand*. Others thought they ought not to have the Benefit of Life and the common Air; that they ought to be puniſhed with Forfeiture of Goods, and with Infamy, without any Regard to their Children; that this was wiſely provided for by the Laws, that Parents ſhould be render'd more cautious, by their Affection for their Children; that dropping of Actions would be prevented, by allowing private Witneſſes; and that by this Means none would be puniſhed but ſuch as were plainly convicted, or confeſſed: That the ancient Cuſtoms of the Church were often changed, as Affairs and Times required; and that greater Licentiouſneſs ought to be reſtrained with greater Severity. Judges were choſen out of every Province, to whoſe Pleaſure the Fortunes, Reputations, and Lives of all Perſons were committed.

Theſe Tranſactions at *Seville* were ſoon known all over *Spain*, upon which divers Intimations were given to their Catholick Majeſties, that moſt of the *Jews* lately converted to the Faith, whoſe Parents had been perſwaded to believe by the Sermons of St. *Vincentius Ferrerius*, uſed ſecretly in their Houſes the *Jewiſh* Rites, and taught Chriſtians the old Law: That therefore they earneſtly beſought their Majeſties, out of their Catholick Piety, to put a Stop to theſe growing Evils, leaſt the poiſonous Contagion ſhould every Day ſpread farther; for otherwiſe, unleſs a Remedy was immediately applied, great Inconveniences would accrew to the Church of God. Amongſt theſe the Chief were *Peter Gonzalez a Mendoza*, Archbiſhop of *Seville*, Friar *Thomas a Turrecremata*, a Predicant, the Prior of the Convent of the Holy Croſs at *Segovia*, and their Majeſties Confeſſor. By his Inſtigation principally *Ferdinand* and *Elizabeth* placed *Gonzalez Mendoza*, Archbiſhop of *Seville*, over all Cauſes of the Paith, joining in Commiſſion with him Friar *Thomas a Turrecramata*, to recover the Office of the Inquiſition, which in Proceſs of Time had very

much declined in that Kingdom, to its former Vigour and Severity. They determined that the Office of the Inquisition ought to be reformed. Upon this their Catholick Majesties earnestly desired the Pope, that they might have Power of creating Inquisitors in the Kingdom of *Castile* and *Leon*. *Sixtus* IV. granted it to them; and altho' the Apostolical Letters of this Grant are not extant, yet the same *Sixtus* makes mention of them in two other Bulls, which are preserved in the Books of Apostolical Bulls, by the General Inquisitor at *Madrid*, *fol.* 1. and 2. Paramus, *l.* 2. *t.* 2. *c.* 3. *n.* 8.

By Authority of this Bull they appointed only two Inquisitors at *Seville*, Friar *Michael a Morillo*, and Friar *John a S. Martino*, the first Doctor, the other Batchelor of Divinity, both Predicants. *An.* 1482. the Pope confirmed these two, who were chosen Inquisitors by their Majesties, upon this Condition, that they should proceed in Causes of Faith in Conjunction with the Ordinaries of Places, according to the Order of the Law. But because the Pope apprehended that the Inquisitors, which were settled either by the General or the Provincials of the *Dominican* Order in the Provinces, were sufficient to manage the Affairs of the Faith, he deprived their Majesties of the Power of making Inquisitors in other Places. *An.* 1482. the same *Sixtus* IV. at the Request of their said Majesties, appointed by his Bull, bearing Date the 3d of the Ides of *February*, seven *Dominicans* Censors of the Faith, who might have Cognizance of Matters relating to the Faith in the Kingdoms of *Castile* and *Leon*, because the two Inquisitors at *Seville* were not sufficient. These, by the Pope's Command, made a severe Inquisition against all who were secretly guilty of *Judaism*.

Within the Time fixed for Persons voluntarily to confess their Sins, with the Hopes of Pardon, about 17000 of both Sexes appeared, who had their Lives granted them. Many however refused to obey either the Papal Letters, or Royal Edicts, but persisted in their Heresy; for which they were seized upon the Testimony of credible Witnesses, and, thro' the Violence of their Torments, confessing their Crimes, were thrown into the Fire; of which some are reported to have bewailed their Sins, and acknowledged Christ, whilst others persisted in their Errors, calling on the Name of *Moses*. Within a few Years two thousand of them of both Sexes were burnt. Others, professing Repentance, were condemned to perpetual Imprisonment, others wore Crosses; the Bones of others who were dead were taken out of their Graves and burnt to Ashes, their Effects confiscated, and their Children deprived of their Honours and Offices. Most of the *Jews* being terrified with this Cruelty, left their Country and Houses, and in this great Distress of their Affairs, fled from the Kingdoms of their Catholick Majesties. Many went into *Portugal*, many into *Navarre*, others into *Italy*, others into *France* and other Countries, where they thought they could be safe; all whose Goods and Effects, moveable and immoveable, if they had any, their Catholick Majesties distributed towards the War, which was then made against the *Moors* and other Barbarians. These Things amounted to a prodigious Sum. In *Andalusia* and *Granada* alone, those who fled with their Wives and Children left five thousand naked and Bzovius, *a.* 1481. §. 11. Raynald. Epit.

empty Houses. Others, according to *Paramus*, affirm, that their Number was much greater; this is certain, that in the City and Diocese of *Seville* only, there were above 100000 Persons alive or dead, present or absent, who were condemned for Contumacy, or reconciled to the Church.

And thus the different Opinions concerning the Year of appointing the Inquisition in *Spain* may be easily reconciled. The general Opinion is, that 'twas brought in in the Year 1483 or 1484. *Ribadineira*, in the Life of *Ignatius Loyola*, says, that it was fixed in the Kingdoms of *Castile* and *Leon*, *An.* 1481. and in *Aragon*, *Valencia*, and *Catalonia*, *An.* 1483. *Bzovius* refers the Erection of it in the Kingdom of *Castile* to the Year 1478. and says that four Years after it passed into *Aragon*. They all agree, if we consider, that the Inquisition was first introduced, *An.* 1478. but that the first Inquisitor General, and the supreme Council of the Inquisition was not fixed till the Year 1483.

Lib. 2. cap. 18.

The Method of this Tribunal, as now in use, is this: The King proposes to the Pope the supreme Inquisitor of all his Kingdoms, whom the Pope confirms in his Office. The Inquisitor thus confirmed by the Pope, is Head and Chief of the Inquisition in the whole Kingdom, and hath given him by his Holiness full Power in all Cases relating to Heresy. It belongs to his Office to name particular Inquisitors, in every Place where there is any Tribunal of the Inquisition, who nevertheless cannot act unless approved by the King; to send Visitors to the Provinces of the Inquisitors, to grant Dispensations to Penitents and their Children, and to deliberate concerning other very weighty Affairs. In the Royal City the King appoints the supreme Council of the Inquisition, over which the supreme Inquisitor of the Kingdom presides. He hath joined with him five Counsellors, who have the Title of Apostolical Inquisitors, who are chose by the Inquisitor General upon the King's Nomination. One of these must always be a *Dominican*, according to the Constitution of *Philip* III. dated *Dec.* 16, 1618. Besides these, there is an Advocate Fiscal, two Secretaries, and one of the King's, one Receiver, two Relators, several Qualificators, and Counsellors. There are also Officials deputed by the President, with the King's Advice. The supreme Authority is in this Council of the Inquisition. They deliberate upon all Affairs with the Inquisitor General, determine the greater Cases, make new Laws according to the Exigency of Affairs, determine Differences amongst particular Inquisitors, punish the Offences of the Servants, receive Appeals from inferior Tribunals, and from them there is no Appeal but to the King. In other Tribunals there are two or three Inquisitors: They have particular Places assigned them, *Toledo*, *Cuenca*, *Valladolid*, *Calaborre*, *Seville*, *Cordoue*, *Granada*, *Ellerena*, and in the *Aragons*, *Valencia*, *Saragossa*, and *Barcelona*.

Carena, tit. 3.

These are called Provincial Inquisitors. They cannot imprison any Priest, Knight, or Nobleman, nor hold any Publick Acts of Faith, without consulting the supreme Council of the Inquisition. Sometimes this supreme Council deputes one of their own Counsellors to them, in order to give the greater Solemnity to the Acts of Faith.

Carena, tit. 3. §. 8, &c.

These

These Provincial Inquisitors give all of them an Account of their Provincial Tribunal once every Year to the supreme Council, and especially of the Causes that have been determined within that Year, and of the State and Number of their Prisoners in actual Custody. They give also every Month an Account of all Monies which they have received, either from the Revenues of the Holy Office, or pecuniary Punishments and Fines.

This Council meets every Day, except Holy-days, in the Palace-Royal, on *Mondays*, *Wednesdays*, and *Fridays* in the Morning, and on *Tuesdays*, *Thursdays*, and *Saturdays* after Vespers: In these three last Days two Counsellors of the supreme Council of *Castile* meet with them, who are also Counsellors of the supreme Council of the Inquisition.

This Tribunal is now arisen to such an Height in *Spain*, that the King of *Castile*, before his Coronation, subjects himself and all his Dominions, by a special Oath, to the most holy Tribunal of this most severe Inquisition. *ibid. §. 12.*

This Office is not, as formerly, committed to the *Predicant* or *Dominican* Friars. They began to employ in it the secular Clergy, who were skilful in the Decrees and Laws, till at last the whole Power gradually devolved on them, so that now the *Dominican* Friars have no Part in it; tho' the Inquisitors oftentimes use their Assistance, in judging of Propositions, and they are employed as Counsellors in the Holy Office. Pegna *in Direct. Par. 3. Comm.* 34.

The first Inquisitor General in the Kingdoms of *Spain*, was Friar *Thomas Turrecremata*, a Predicant, Prior of the Monastery of the Holy Cross at *Segovia*, who was in high Esteem with their Majesties, as having often expiated their Sins by Penance. *Paramus* relates, that he was created Inquisitor General of the Kingdoms of *Castile* and *Leon* by *Sixtus* IV. *An.* 1483. and that the Pope gave him Power by his Letters of making such Inquisitors as he thought proper, and of recalling those who had been Inquisitors there before, and ordered him to make use of the new Method appointed in managing Causes of the Faith, which was much more proper than the old one. Afterwards the same Pope made the Provinces of *Aragon*, *Valencia*, *Catalonia* and *Sicily*, subject to the supreme Inquisitor of *Castile* and *Leon*, by his Bull, expedited the same Year 1483. This Bull *Innocent* VIII. who succeeded *Sixtus* in the Pontificate, confirmed, as far as it related to *Castile* and *Leon*, *An.* 1485. and the next Year, as it related to *Aragon*, *Valencia*, and *Catalonia*. *Alexander* VI. did the same. *Innocent*'s Bull runs thus:

Innocent *Bishop, Servant of the Servants of God, to our beloved Son* Thomas Turrecremata, *of the Order of Predicant Friars, and Professor of Divinity, Health and Apostolical Benediction.* Sixtus IV. *our Predecessor of happy Memory, in order to extirpate the Heresies, which through the Instigation of the great Enemy of Mankind, had arisen in the Kingdoms of* Castile, Leon, *and* Aragon, *and other Kingdoms and Dominions subject to our most dear Son in Christ, King* Ferdinand, *and to our most dear Daughter in Christ, Queen* Elizabeth, *as we have been informed, to our great Grief, by diverse Letters instituted and deputed Thee Inquisitor General of heretical Pravity, in all the Kingdoms, Dominions, and Countries aforesaid, as in the said Letters is more fully contained, the Tenor of which is hereby to be fully*

understood, as though they were inserted in these present, Word for Word. We therefore desiring, according to the Duty incumbent on us, that in our Time also the Office of the Inquisition may, as it ought, proceed in a due Manner, do by our Apostolick Authority, and by our own certain Knowledge, by Virtue of these present, approve and confirm such Institution and Deputation, and all and singular the Letters for that End, and decree that they shall remain in full Strength; and we do now afresh make, constitute and depute Thee to be Inquisitor in the Kingdoms and Dominions aforesaid, with the same Powers which the said Sixtus, *our Predecessor, had before granted you: We do also renew the aforesaid Letters in all and every Thing; and grant unto you full, free and universal Power to take and substitute other Ecclesiastical Persons, fit, learned, and fearing God, provided they be Masters in Divinity, Doctors of the Civil or Canon Law, Licenciates, Canons of Cathedral Churches, or otherways in Possession of Ecclesiastical Dignities, as often, and whensoever you shall know there is need; as also to remove any, and put others alike qualified in their room, who shall enjoy the like Jurisdiction, Power and Authority of Proceeding with the Ordinary in the said Affair, that any other Persons do. And because 'tis just, that those who labour in so holy an Office, Affair, and necessary Work, should not be deprived of their Rights, by the same Authority we grant to all and singular Ecclesiastical Persons, who shall be engaged in this Work, and so long as they shall labour in it, the Fruits, Returns and Profits of all Ecclesiastical Benefices, with or without Cure, which they have, or hereafter shall have, of what Kind soever, in any Churches or Places, freely to enjoy them in the same full Manner (all the Dues and Customs of such Benefices maintained) as they would have enjoyed them if they had personally resided in the said Churches or Places; and that they shall not be obliged in the mean Time to reside in them, nor forced to it by any Person or Authority whatsoever; notwithstanding ye have not made your first personal usual Residence in such Churches or Places, any Apostolical, Provincial, Synodical, or other general Edicts to the contrary, or any special Constitutions, Appointments, Statutes or Customs of those Churches where such Benefices may be, strengthened by Oath, Apostolical Confirmation, or any other Security whatsoever; and although the said Persons may have hitherto, or hereafter shall happen to sware by themselves, or their Procurator, that they will serve in such Benefices, and not obtain Letters Apostolical, to dispense with them, nor make Use of such Letters obtained by other or others, or granted to others upon any Account whatsoever, and all other Things to the contrary notwithstanding, mentioned by the said* Sixtus *our Predecessor, in his said Letters Apostolical, and all other Things to the contrary notwithstanding whatsoever. Given at* Rome *at St.* Peter's, *in the Year of the Incarnation of our Lord* 1484, (or 1485.) Feb. Ides 3. *and second Year of our Pontificate.*

In the Year 1484. as we may collect from the first Instruction of *Seville*, there was held by the Papal Authority, and at the Desire of their Catholick Majesties, a famous Assembly of Men, most learned in both Laws, and in Divinity, at *Seville*, Friar *Thomas de Turrecremata*, Inquisitor General of all *Spain*, being President, in which the Method of Proceeding against heretical Pravity was agreed on, and several Laws and Constitutions made and settled, which the Inquisitors use to this Day. This Order was afterwards in-

inlarged by other Instructions. In the same Assembly it was provided that the Inquisitors should publish an Edict in their Dioceses, by which it was ordered, that whosoever, within forty, fifty, or more Days, as they should judge proper, should voluntarily and fully confess their Errors and Heresies before the Inquisitors, and should discover other Hereticks, should be admitted to wholsome Penance, and reconciled to the Church, without suffering Death, Irons, or the Forfeiture and Confiscation of their Effects. The Observation of *Bzovius* is here remarkable. *From this Beginning the Inquisition grew up into such an Authority and Power, as makes it the most terrible to bad Men throughout the whole Christian World; given by God for the unspeakable Benefit of the whole Commonwealth, and as a present Remedy against those threatning Evils with which other Provinces are afflicted: For no human Wisdom could ever have provided against such fatal Dangers.* Neither must I omit what *Simancas* says: Spain *was always most zealous for the Christian Religion, and ever most sincerely reverenced the Catholick Faith, after it once receiv'd it; and bare the greatest Hatred to Hereticks. All in* Spain *who have Cognizance of the Affairs of Faith, observe the Duty of their Office with that Fidelity, that Integrity and Vigilance, that no one dares whisper any Thing against the holy Statutes of the Church. In other Places Men are restrained from acting impiously, but in* Spain *they are not permitted to speak but according to Piety. In other Places Errors are extirpated when they arise; but in* Spain *the very Seeds of Heresy are destroy'd before they spring up.*

Hisp. Instr. 1. cap. 3.

a. 1478. §. 14.

De Cathol. Instit. tit. 46. §. 41.

Vasæus *Cronic. Hisp. tom. 1. c. 9.*

[*Ludovicus a Paramo* relates, that in the Year 1485. there were famous Acts of the Inquisition, by the Inquisitors of heretical Pravity, in the Town of *Guadalup*, held in a Pulpit and on a very large Scaffold, erected before the Doors of the Church, in the Church Yard, over against the Market Place, in which Acts of the Inquisition, which were seven or eight, Friar *Didachus Marchena*, an heretical Monk, and fifty two for judaising, of both Sexes, were deliver'd over to the Fire; forty six Bodies of Hereticks were dug out of their Graves, and adjudged to the Flames; the Images of twenty five absent Persons were burn'd; sixteen condemned to perpetual Punishment, besides innumerable others sent to the Gallies; and others condemned to ware consecrated course Habits, as a Mark of perpetual Penance and Infamy. When these Acts were finish'd, and the Fathers Inquisitors were departing from *Guadalup*, they publish'd an Edict by the Common Cryer, that within one Month all Persons, of every Sex and Age, infected with the *Jewish* Superstition, should leave that Town, under the Penalty of being punished as relapsed: And they made it a perpetual Law, that for the Honour of the Virgin Mother of God, and her sacred Convent and People, no converted Person, or of the Race of the *Jews*, should from henceforth ever dwell there. Upon Occasion of this Edict, Care was taken in the first general Chapter, that was afterwards celebrated in the Convent of St. *Jerome*, the Prior of which, Friar *Numinis ab Arevolo*, with other Inquisitors, held those Acts, that no one of the said Race should ever be admitted to the sacred Order of St. *Jerome*. What *Paramus* adds farther is ridiculous: That when the aforesaid Inquisitor of the holy Office eagerly desired some Sign from the blessed Virgin *Mary*, of *Guadalup*,

lib. 2. tit. 2. cap. 4. n. 2. p. 138, 139.

in those Days of the Inquisition, to exalt the Faith, and for the Confusion of Heresies and Errors, there were so many evident Miracles wrought by piously invocating the holy Virgin, that Doctor *Francis Sanctius de la Fuente*, one of the said Fathers, who had undertaken the Care of writing those Things, was quite tired out with writing them, through the Multitude of the Miracles. For there were sixty Miracles counted up for the Confirmation of the Faith, the Approbation of the Office of the holy Inquisition, the Edification of many, and the Display of the Divine Power.

lib. 2. *tit.* 2. *cap.* 8. *n.* 13. *p.* 179, &c.

The same Person relates, that Pope *Sixtus* IV. at the Desire of *Ferdinand* and *Isabell*, extended the supreme Power of the Inquisition, which he had granted to *Thomas a Turrecremata*, in the Kingdom of *Castile*, to *Aragon*, *Catalonia*, *Valencia*, and *Sicily*. However, great Opposition was made to this Tribunal in *Aragon*, many declaring that this new Form of the Inquisition was contrary to the Prerogatives and Liberties of the Kingdom, and was in it self too severe and unrighteous; that the Depositions of the Witnesses were not shewn to the Criminals; and that Persons Estates were confiscated because of some heretical Mark; which Things they affirmed were not only contrary to the Usage of the Kingdom, but to every Rule of Justice. And that they might more easily obtain the Abrogation of the Inquisition, they sent a large Sum of Money to the Courts of the Pope, and of the King. However, they obtained nothing; so that at last the People broke out into an open Tumult, which *Raynald* and *Ozovius* principally attribute] to the new Converts, who from the *Jewish* Superstition and Race were converted to Christianity. Many of the principal Men joined themselves to them, who complained that new Laws were introduced contrary to the Liberties of *Aragon*. During this Sedition *Peter Arbuesius*, the Inquisitor, was killed at *Saragossa*, as he was saying his Prayers before the High Altar. The Murder was imputed to the *Jews*. [The Murderers, as *Paramus* relates, were not long after all taken up by the Inquisitors, delivered over to the secular Arm, and suffered most dreadful Punishments.] But all Attempts for the Liberty of *Aragon* were in vain; and so far was this Tribunal of the Inquisition in Matters of Religion from being abolished, that upon the Death of those who opposed it, it was much more strongly confirmed than ever. For *Ferdinand* and *Isabel*, to give the greater Authority to the Tribunal of the Inquisition, gave the Royal Palace at *Saragossa* to the Judges of the Faith, and by many Provisions confirmed the Tribunal of the Faith.

Raynald. *a.* 1485. §. 21, 22. Bzovius, *a.* 1485. §. 10, 11.

They also endeavoured to propagate the Office of the Inquisition in all their Kingdoms. Pope *Innocent* VIII. published a Decree, *An.* 1491. against those who should hinder any from appealing to the Apostolick See. When that Constitution was published, it happen'd that the Bishops of *Segovia* and *Calahorre* in *Spain*, their Parents, Kindred, and some other illustrious Ecclesiastical Persons, powerful for their Riches and Interest, were accused of Heresy before the Inquisitor General of *Aragon*, *Valencia*, and *Catalonia*. They appealed to Pope *Innocent*, that they might not be tried in the ordinary Court, but that their Cause might be determined at the Court of *Rome*. Friar *Thomas Tur-*

Bzovius, *a.* 1491. §. 3.

recremata

recremata was at that Time Inquiſitor General. The King and Queen thought that that Appeal was made to eſcape Juſtice, and would occaſion great Scandal and Danger, and therefore intimated to the Pope what was neceſſary to preſerve the Faith, and beſought him that he would not ſuffer any Perſons, by frivolous Pretences, to bring the ordinary Juriſdiction of the Holy Office into Contempt. The Pope was not ignorant that the Cauſes of the Biſhops, when guilty of Hereſy, belonged to the Apoſtolick See, but however did not cite them to *Rome*, but appointed the Biſhop of *Tournay* his Nuncio or Commiſſary in *Spain*, who ſhould examine the Cauſe jointly with the Inquiſitor, and report the whole Affair upon the Judiciary Proceſs to the Apoſtolick See, and wait for the Determination of his Holineſs thereupon, but ordered that the Inquiſitor ſhould proceed upon all others, who were not Biſhops, accuſed of Hereſy, according to his Office. *This was granted*, ſays *Surita*, *at that Time to the Piety of their Majeſties, whoſe only and principal Care was to put a Stop to Impiety*. *Paramus* adds, " That when it was afterwards found by Experience, *c.* 4. *n.* 14.
" and the Event of Things, that great Inconveniences aroſe from that Me-
" thod of Proceeding, the Pope ordered that the Inquiſitor General ſhould deter-
" mine in all Cauſes of Appeal, which is obſerved to this Day, the Pope ne-
" ver ſuffering ſuch Affairs to be brought before the Apoſtolick See upon any
" Appeal whatſoever.

In the mean Time, *Ferdinand* had made great Slaughter of the *Moors*, and at laſt entirely ſubdued them in the Kingdom of *Granada*, having reduced the City of *Granada* it ſelf into his Power. And therefore, to purge their Kingdoms entirely of the *Jewiſh* Superſtition, *Ferdinand* and *Iſabel*, by a Law, drove the *Jews* out of *Spain*; to whom, however, after a long Conſultation of the Wiſe Men, was granted the Space of four Years, within which they were either to be converted to the Catholick Faith, or ſell all their Effects, and depart from *Spain*, with all their Goods and Chattels they had purchaſed with Money. For, as *Paramus* ſays, they were not allowed to carry Money out of *Spain*, either Silver or Gold, becauſe it had been prohibited by Law long before for the publick Good. This Edict was render'd more ſevere by a new Conſtitution of *Thomas Turrecremata*, Inquiſitor General of the Faith, in the Month of *April*, who forbid all the Pious to have any Commerce with that Nation, and prohibited them, under a grievous Penalty, not to aſſiſt them with Proviſion, or any other Thing, after the Period of Time that he had ſet them. The ſame *Thomas* had before perſwaded the King and Queen, that they ſhould not, for the Sake of a large Sum of Money, diſpenſe with the Confiſcation of their Effects at the earneſt Prayers of the *Jews*. And he prevailed on them not to do it, as *Antonius de Souſa* relates it. But *Paramus* tells us, that he went up to the Palace, and hid under his Habit a Crucifix, and thus ſpoke to the King and Queen with great Freedom; *I underſtand the King's Affair. Behold the Image of our crucified Saviour, whom that moſt wretched* Judas *ſold to his Enemies for thirty Pieces of Silver, and betray'd him to his Perſecutors. If ye approve that Deed, ſell him for a greater Price. As to my ſelf, I renounce all Power. Let nothing be imputed to me. You muſt give an Account of the Bargain to God.*

Simanc. *tit.* 35. §. 7.

Bzovius, *a.* 1494. §. 39.

Aphor. Inquiſ. l. 4. *c.* 22. §. 3. *lib.* 2. *tit.* 2. *cap.* 3. *n.* 16.

Simanc. *ibid.* *God.* After this, he laid down the Crucifix before them, and departed. When the Time was elapsed, they who persisted in their Religion were forced to depart, with their Wives, Children, Servants, Families, and Effects, and forbid ever to return into *Spain*, where if they were ever after found, they were to be immediately punished with Death and Confiscation of Goods. It was also provided by the Pragmatick Laws, that no *Jew* should ever enter *Spain* upon any Pretence whatsoever, under the same Penalty of Death, and Confiscation of Goods, if ever found there; and that it should signify nothing, tho' they declared they were willing to be converted to the Faith, unless they should make publick Protestation of it upon their first Entrance into the Kingdom. And if any Christian was convicted of harbouring the *Jews*, all his Effects were to be forfeited. *Pragm.* 5. at *Granada*, 1492. and *Pragm.* 6. *ibid.* 1499. *John Picus*, Earl of *Mirandola*, gives a fine Account of this Expulsion, in his Book against Astrologers, *lib.* 5 *cap.* 12. The Number of those who were thus banished from *Spain* were four hundred thousand *Jews*, according to *Reuchlin* and others. *Mariana* says, 'tis not easy to reduce them to any certain Number. Most Writers affirm, there were 170000 Families that departed; others say there were 800000 Persons, a prodigious Number, almost exceeding Belief. Some of them, who were a little more dilatory in gathering together their Effects, and would not turn Christians, were sold for Slaves; and of those who left their Country, *Surita* tells us many died of the Fatigues of Travelling, or the Plague.

Raynald. *a.* 1492. §. 7, 8.

Bzovius, *a.* 1496. §. 15, 16. The *Jews*, thus driven from *Spain*, fled for the most part into *Portugal*, and obtained from King *John*, under certain Conditions, that they might live there for a certain Season. The Conditions were chiefly these, That every one should pay to the King eight Pieces of Gold, and leave *Portugal* within a limited Time, and forfeit their Liberty if they exceeded it; and that the King should grant them free Liberty to sail away. Whilst the King lived, *Bzovius* tells us he took great Care to perform his Promise to the *Jews*. He commanded his Officers in the Ports, that they should agree with the Masters of Ships, for transporting the *Jews* where they pleas'd for a reasonable Price; and farther order'd, that no one should injure them. But it happen'd far otherwise: For the Merchants and Masters, who had receiv'd the *Jews* on board their Ships, used them very cruelly at Sea. Not contented with the Price they had agreed for, they used all the Methods they could invent to extort more from them, and besides this, even forced their Wives and Daughters. These horrid Abuses terrifying the *Jews* that yet remained in *Portugal*, and not being able through Poverty to purchase within the Time the Necessaries for their Voyage, suffer'd it to elapse, and thus lost their Liberty; and he who wanted a *Jew* Servant, begged him of the King. In the mean while King *John* died.

His Successor *Emanuel*, finding that the *Jews* could not help staying longer in *Portugal* than the Time fixed them by *John*, gave them all their Liberty. Some Time after this he was advised by the King and Queen of *Castile* by Letters, not to suffer that wicked Nation, hated by God and Man, to abide in *Portugal*. After mature Deliberation of the Affair, he commanded all the *Jews*

Raynald. *a.* 1496. §. 26, &c.

Jews and *Moors* in *Portugal*, who would not profess the Christian Religion, to depart the Kingdom, and set them a Day, after which, if any of them were found there, they should forfeit their Liberty. The *Moors* immediately passed over into *Africa*. And as the *Jews* were preparing to depart, the King commanded that all their Children, who were not above fourteen Years old, should be taken from their Parents, and educated in the Christian Religion. It was a most affecting Thing, to see Children snatched from the Embraces of their Mothers, and Fathers embracing their Children violently torn from them, and even beat with Clubs, to hear the dreadful Cries they made, and every Place filled with the Lamentations and Yells of Women. Many through Indignation threw their Sons into Pits, and others killed them with their own Hands. What added to their Misery was, that those who would have gone over to *Africa* to avoid these Evils, were not suffered; for the King deferred giving them the Liberty of sailing Day after Day. And although at first he assigned them three Ports, where they might go on board, he afterwards forbid their sailing from any other but that of *Lisbon*. This brought a vast Number of the *Jews* to that City. But in the mean while the appointed Day was past, so that such of them as could not get off were necessarily made Slaves. Most of them being overcome with these Calamities, chose rather either sincerely or feignedly, to make Profession of Christianity, than to live in such Miseries, and being baptized, recovered their Liberty and Children. No Violence however was offered to the *Moors*, least the *Saracens* in *Asia* and *Africa* should make Reprisals on the Christians in those Countries.

Raynald. *a.* 1496. §. 26, &c.

Bzovius, *a.* 1497. §. 27.

The Papists usually ascribe this Action of the King's to a pious Mind, and his Zeal to propagate the Christian Religion, and provide for the Salvation of Children, and yet in the mean while condemn it as wicked and unjust, and contrary to the Laws and Constitution of the Gospel; since it is not lawful to compel any one against his Will to the Christian Worship, or to take Children from their Parents, unless the Parents forfeit their Right in them by their Crimes.

In the Year 1500, *Francis Ximenes*, Archbishop of *Toledo*, by the Pope's Persuasion, took great Pains to convert the *Moors* of *Granada* to the Christian Faith. He first of all gained over their chief Priests, which they call *Alfaquins*, by Gifts and Favours. A great Number followed their Example. However others vigorously opposed *Ximenes*, and endeavoured to deter the *Moors* from Christianity. Ximenes *ordered these to be put in Irons in Prison, and to be very cruelly used*. Of this Number was one *Zegri*, who was the most powerful amongst them, upon account of the Nobility of his Birth, and his excellent Qualifications of Mind and Body. Ximenes *laying aside almost all Humanity, determined to punish him most severely*. He delivered him to one *Peter Lyon, his Chaplain, a Man of a truly Lyon-like Mind*, who soon brought him to *Ximenes* his Beck, and made him in a few Days desire to be carried before the *Alfaquin* of the Christians. Bound and dirty as he was, he came before *Ximenes*, and declared he would be a Christian, for that he had had a Vision from *Ala* (as the *Moors* call God) that Night, admonishing him to it. *But*

Bzovius, *a.* 1500. §. 16.

truly, says he, laughing, *I am a Fool to seek for Arguments any where else, but from thy fierce Lyon, to whose keeping, if any of us are committed, they will immediately become Christians.* Upon this he declared himself a Christian, and was baptized, and experienced *Ximenes* his Bounty. He was afterwards of great Service, not only in promoting Christianity amongst his Country-men, but to the Common-wealth. *Ximenes* glorying in this Success, commanded all the Alcorans, and all other Books whatsoever that had any Thing in them of the *Mahometan* Superstition, to be brought publickly together. There were about 5000 Volumes, which were all openly burnt in one Heap to a single Book, except some few relating to Medicine, which for the Honour of so useful an Art, were saved from the Flames, and laid up in the *Complutensian* Library. *Bzovius* adds, *There were however many who thought it unjust, and altogether contrary to the Nature of Christianity, to compel any one by Force, and such like Arts, to profess the Faith of Christ, the entire Tendency of which is Gentleness, and which requires especially a ready and sincere Mind. Besides that in the Councils of* Toledo, *which are reckoned sacred by all Christians, 'tis determined in the most solemn Manner, that no one should be forced to believe in Christ. But he followed his own Judgment, and in the Midst of Danger shewed the Constancy of his Mind, and declared in this important Case the invincible Resolution of his Soul. For in all human Affairs every great Undertaking is sure to raise Envy, which oftentimes overthrows the noblest Designs, and by a thousand Difficulties renders them impracticable.*

One of *Ximenes*'s Family, called *Salzedus*, came with two Servants to the *Albaizinum*. This is a Place in the City of *Granada*, craggy, and hanging over the rest of the City, and separated from it by its own Walls. When they were come here, first there arose reproachful Words between them and the Inhabitants, at last they came to Blows, and the two Companions of *Salzedus* were killed by the Multitude. *Salzedus* fled for it, and with great Difficulty escaped. However the Tumult encreased, so that the whole City was in an Uproar. Their Design was to pull down the House of *Ximenes*. The Tumult lasted ten Days, and was at last suppressed by the Garrison. The *Albaizinenses* were condemned for High Treason, and had the Choice given them of Death or Baptism, upon which to a Man they embraced Christianity. The Archbishop of *Granada* took Care to have them daily instructed in the Christian Mysteries. He also ordered some Lessons out of the Old and New Testament to be read to the new Converts in the *Moorish* Language, and permitted the printing of some Books, in which some Parts of the Service of the Mass, and some Passages of the Gospel were translated into *Arabick*. But *Ximenes* would not suffer it, saying, *It was a Sin to throw Pearl before Swine.* He allowed indeed the Use of some Books written by pious Men in the vulgar Tongue; but said, *That the Old and New Testament, in which there were many Things that required a learned and attentive Reader, and a chaste and pious Mind, should be kept in those three Languages only, which God, not without the greatest Mystery, ordered to be placed over his most dear Son's Head, when he suffered the Death of the Cross*; and affirmed, *That then Christianity would*

would suffer the greatest Mischief, when the Bible should be translated into the vulgar Tongues.

This Tumult spread beyond the Kingdom of *Granada*. *Ximenes*, by the Permission of the Inquisitors, endeavoured to force certain *Moors* called *Elches*, who had embraced Christianity, and afterwards rejected it, to become Christians again, and commanded their Children to be violently taken from them and baptized. This was the Beginning of Troubles, which afterwards grew to such an height, that the *Moors* formed a Conspiracy, and rebelled in many Places. But as their Forces were inferior to the *Spaniards*, they were subdued, and forced to turn Christians. The King granted, that as many as would should go over to *Africa*, and provided them with Ships to transport them at the Port of *Astopa*, demanding from every one that went over ten Pieces of Gold only, as the Price of their Liberty. They who would not leave their Country, he ordered to become sincere Christians. This Agreement being made, many went into *Africa*, *though most of them remained in* Spain, *pretending themselves to be Christians, but not a jot better than those who left it, being of a very obstinate and wicked Disposition.*

An. 1501. *Ferdinand*, King of *Castile*, at the Instigation of Pope *Alexander*, Bzovius, took great Pains in catechising the *Moors*, and preventing their Apostacy. *a.* 1501. He published an Edict in *Castile*, against the *Moors* in that Province, and §. 13. especially against those of *Andalusia*, *Granada*, and *Aragon*, commonly called *Mudegiares*, who lived and traded promiscuously with the Pious, that unless they would become Christians, they should depart his Dominions within a certain Day.

Upon the Death of *Ferdinand*, *Charles* succeeded him. The new Converts Param. *l.* 2. offered him 800000 Pieces of Gold, if he would command, that the Witnesses *tit.* 2. *cap.* at the Tribunal of the Inquisition should be always made publick. The 5. *n.* 4. young King, who was about eighteen Years old, had a great Mind to the Money. But Cardinal *Ximenes*, Inquisitor General, shewed him the great Danger of such a Method, and that the Church would receive great Injury by it, and by putting him in mind of his Grandfather *Ferdinand*, prevailed with the King to refuse the Offer.

CHAP. XXV.

Of the INQUISITION *in* Portugal.

WE have related in the former Chapter, how that the *Jews* being drove out of *Spain*, were received under certain Conditions by the King of *Portugal*. However, not many Years after, he erected the Tribunal of the Inquisition in his Kingdom, after the Model of that in *Spain*. *Bzovius* speaks of this Affair, describing the Death of King *John* III. " How *a.* 1557.

" great §. 56, 57.

"great his Zeal was to maintain the Faith in its ancient Splendor, his introducing the sacred Tribunal of the Inquisitors of Heresy into *Portugal*, is an abundant Proof, bravely over-coming those Difficulties and Obstructions, which the Devil had cunningly raised in the City, to prevent or retard his Majesty's Endeavours. For he learnt Experience from others, and grew wise by the Misfortunes of many Kingdoms, which from the most flourishing State were brought to Ruin and Destruction by monstrous and deadly Heresies. And it is very worthy Observation, that the Year in which the Tribunal of the holy Inquisition against heretical Pravity was brought into *Portugal*, the Kingdom laboured under the most dreadful Barrenness and Famine. But when the Tribunal was once erected, the following Year was remarkable for an incredible Plenty, commonly called the Year of St. *Blase*, because, before his Festival, which was on the third of the Nones of *February*, the Seed could not be sown in the Ground for want of Rain, whereas afterwards Provision was so very cheap, that a Bushel of Corn sold for Two-pence."

By what Means King *John* III. brought this Tribunal into *Portugal*, he no
A. 1535. where tells us. Only he gives us a Bull of *Paul* III. beginning, *Illius vices in*
§. 33. *terris*. By which he approves of the Absolution and Indulgencies granted by his Predecessor *Clement* VII. to such as were already converted, in order to draw over the Hereticks and Unbelievers of the Kingdoms of *Portugal* and *Algarve*, to the true Faith. In this Bull it is related, that *Clement* VII. deputed *Didacus de Silva*, a Minim Friar, Professor of St. *Francis de Paula*, to be his and the Apostolick Sees Commissary, and Inquisitor over the new Christians, returning to the *Jewish* Rites they had forsaken, and all others embracing Errors and Heresies, in the Kingdom and Dominions aforesaid, with full Power to make Inquisition against all who were guilty, or suspected of these Crimes, and to imprison, corrrect and punish them; and that afterwards, for certain reasonable Causes, he suspends, by other Letters, during his Pleasure, the aforesaid, and all other his Letters whatsoever, and all Faculties and Commissions granted in the Premisses by the said Letters, to the said *Didacus*, and all Ordinaries of Places whatsoever, and by Friar *Mark* Bishop of *Senogaglia*, Nuncio of the Apostolick See to the King of *Portugal*, acquaints *Didacus* and the aforesaid Ordinaries, and the other Inquisitors in those Parts, of these last Letters. Afterwards there is a long Detail of the Favours granted by *Clement* VII. his Predecessor, to the new Converts, or the Descendants of the *Jewish* Converts, all which he approves and confirms, decreeing that all such Persons, though imprisoned, and their Crimes notoriously proved in their Trials, and they themselves condemned as Hereticks, shall be forgiven all the Punishments they were condemned to as such before the Date of the said Letters; that they shall not be obliged to confess, abjure or renounce; that they shall be freed from their Goals, Banishments and Banns; that they shall enjoy all Privileges and Favours, which are enjoyed by any other of the Faithful of Christ, their Children, and Grand-children, and that they shall not be under any Mark of Incapacity and Infamy; he makes void, cancels,

 blots

blots out, and annuls all Processes and Sentences pronounced against them, and other Transactions, though after the Date of the foresaid Letters; he restores to them and their Heirs all their confiscated Effects, if not already brought into the Treasury; orders that no Inquisition shall be made concerning any Crimes savouring of Heresy, Apostacy and Blasphemy committed by them any Ways, even to the Day of the Date of these present; that they shall not be accused of them, or molested for them, and that no Prejudice shall accrue to them or their Children upon account of them; that they shall not be looked on as reconciled and absolved, and of Consequence not be accounted as relapsed, if they shall afterwards fall into any of the aforesaid Errors. It is his Pleasure however that such as are in Prison, or out on Bail, who have been condemned or convicted of Heresy, or Apostacy from the Faith, or Blasphemy savouring of Heresy, or have made their Confession, shall be obliged publickly to abjure them, before some proper Person chosen by them; and that having made such Abjuration, they shall be released without any publick Penance enjoin'd them, according to the Form of the aforesaid Letters, duly sealed. Dated at *Rome*, *Octob.* 12, 1535. This Decree abundantly shews, that the Inquisition was brought into *Portugal* before this Year, and that the Course of it had been for some time suspended. But we cannot gather from it, when and by what Means it was first introduced, and what was the Cause of its Suspension. This we must learn from other Authors.

Lewis Paramus relates, whom many others follow, " That one *Sabavedra* of " *Corduba* (*Mendoza* calls him *John Perez de Sabavedra*, by which Name " *Paramus* calls his Father, and one of his Brethren) a Forger of Apostoli- " cal Writings, Briefs or Letters, appointed himself Cardinal Legate, *A. D.* " 1539. by forged Letters or Bulls, and declared that he was sent by the " chief Pontiff to erect the sacred Tribunal of the Inquisition in this King- " dom, which, says *Paramus*, the Kings of *Portugal* refused to receive. " But that afterwards considering the great Advantage that would arise " from the Appointment of the aforesaid *Sabavedra*, they demanded " it from the Pope. *Mendoza* differs somewhat from *Paramus*, and attests " that Cardinal *Taveira*, *An.* 1539. persuaded the most serene King of *Por-* " *tugal John* III. to erect the sacred Tribunal of the Inquisition in his King- " doms, after the Model of that in the Kingdom of *Castile*, which, as he " says, the aforenamed King endeavoured to obtain, *An.* 1535. However " both these Authors agree in this, that *Sabavedra* erected the Tribunal of " the Inquisition in *Portugal*, and was Inquisitor General there six Months, " and that at last he was discovered and racked in *Castile*, and condemned " to the Gallies. *Paramus* also adds, that *Sabavedra* left this Account of " himself, written by his own Hand." This short Account is taken from the larger one of *Paramus*, by *Anthony de Sousa*, a Predicant, Master of Divinity, Counsellor of the King, and of the supream Tribunal of the holy Inquisition, in his History of the *Portugal* Inquisition prefixed to his Aphorisms of the Inquisitors, where he endeavours to refute the Account of

De Orig. Inquis. lib. 2. *tit.* 2. *cap.* 15. *num.* 6.

Paramus, and gives this different one himself of the Original of the Inquisition in *Portugal*.

The *Jews*, as we have before observed from *Bzovius*, were admitted by *John* II. King of *Portugal*, under certain Conditions, into his Dominion. " *Emanuel* succeeded King *John* II. who in the Year of our Lord 1497. commanded " by a publick Edict, all the *Jews* to depart out of the Kingdoms of *Portugal*, " under the Penalty of forfeiting their Liberty, as his Predecessor had before " him; and although they incurred the Penalty, yet such was the King's " Clemency, that it was not inflicted. Many of them indeed departed; but " others, either dreading the bad Treatment they apprehended they should re- " ceive from the Officers, Mariners, and others, who were to transport them in " their Ships, or else hoping to receive great Advantage from the Fruitful- " ness of the Country where they dwelt, desired to become Christians, but " upon this Condition; That they should not be liable to any Inquisition " concerning the Faith, till after twenty Years: And upon this Condition " they were baptized. But as these *Jews* did not profess the Catholick Faith " truly and heartily, but feignedly and externally, they remained as much " *Jews* as they were before; and so much the more dangerous, because con- " cealed. Thus they brought up their Children in their old Errors of Ju- " daism, as daily Experience demonstrates they do, many of them, to this " Day.

" King *Emanuel* was succeeded by *John* III. *An.* 1521. who observing that " Judaism spread greatly in his Time; that the *Jews* publickly professed their " Errors, and taught them others; that his domestick Servants, not only such " as proceded from them, but those who were ancient Christians, were in- " fected with the Poison of their Doctrine, contemned the Sacraments of the " Church, did not receive them in the Article of Death, treated with great " Irreverence holy Images, and especially some of the Virgin Mother of God, " the Lady of Angels (they are the Words of *Sousa*) considering these Things " in his Mind, he desired of Pope *Clement* VII. the holy Tribunal of the In- " quisition in his Kingdom. And although this Pope, for a long while, and " oftentimes refused it, through the vigorous Endeavours of the *Jews*, who " to their utmost opposed the royal Petition (for the *Jews* always hated this " holy Tribunal, as others do to this Day, for what Reason they best know) " yet at length, with Difficulty he granted it in Form of Law, *Jan.* Cal. 16, " 1531.

" Immediately after this Grant, *An.* 1533. they obtained from the same " *Clement* VII. a general Forgiveness of all Crimes committed against the " Catholick Faith, which however had not then its Effect. But when *Clement* was dead, they obtained in the Year 1534. from *Paul* III. his Succes- " sor, by their importunate Prayers, continu'd Negotiations, and the Help " of those, who by their strenuous Solicitations with the upright Pontiff, " were best able to assist and defend them; that the Inquisitors of *Portugal* " should be suspended, as to the Form they had made Use of to that Time; " and in the Year following, 1535. they procured the general Indulgence,

" which

" which had been granted before by *Clement*, the same that we have related " before from *Bzovius*. But the Effect of this was, that this Indulgence did " not lead them to an Amendment of their Crimes; but as the Event proved, " was abused to a greater Indulgence of the Jewish Superstitions; so that Ju- " daism spread more and more, as the Pope himself declared in his Letters, " dated *July* 15, 1547. in which he revoked, by Reason of their Perverseness, " several Privileges that he had granted them.

" In the mean while King *John* III. perceiv'd that the Faith was more and " more endangered, and as the Pope seemed to be negligent in the Affair, " he applied the Remedy of the Inquisition in the Manner as then appeared " most suitable to the Case; and sent Letters to the said Pope, worthy of " the holy Zeal which inflamed him; in which he acquainted him, That he " had, with the greatest Earnestness, solicited this Matter for fifteen Years, " before his Predecessor *Clement* VII. and himself. With these Letters, and " the Reasons contained in them, the Pontiff was prevailed with, and grant- " ed the Inquisition, *A. D.* 1536. From this Time the sacred Tribunal of the " Inquisition, and the Office of Inquisitor General hath been transmitted down, " even to our own Times, in this Kingdom, by an uninterrupted Suc- " cession."

And the more to confirm this Account, he gives us a List of the Inquisitors General in the Kingdom of *Portugal*, of which the first was Friar *Didacus de Sylva*, Bishop of *Ceuta*, and Confessor to King *John* III. whether of the Order of Minims of St. *Francis de Paola*, or of the Minors of St. *Francis* of *Assise*, Writers do not agree, even to the Eleventh, now nominated by the Catholick King, and to be confirmed by *Urban* VIII. to which he subjoins a List of the Deputies or Counsellors of the supreme general Inquisition, created by the several Inquisitors General. After this follow the Accounts of the Tribunals of the Inquisition, erected in the several Cities of the Kingdom of *Portugal*, and of the Names of the Inquisitors appointed for the several Tribunals. The Inquisition at *Evora* was erected by *Didacus de Silva*, first Inquisitor General, *A. D.* 1537. of which the first Inquisitor was *John de Mello*, Doctor of the Papal Law, and afterwards Bishop of *Algarva*, and at last Archbishop of *Evora*, appointed by *Didicus*, the former Year one of the four Counsellors of the supreme general Inquisition. The *Lisbon* Inquisition was erected by Cardinal *Henry*, second Inquisitor General, *A. D.* 1539. over which he appointed for first Inquisitor, *John de Mello*, who had been made first Inquisitor at *Evora*, by *Didacus de Sylva*. The same Cardinal also fixed the Inquisition at *Coimbra*, *An.* 1541. and placed in it two Commissary Inquisitors, *viz.* Friar *Bernard* of the Cross, a Predicant, Bishop of St. *Thomas*, and Rector of the University of *Coimbra*, and *Gomezius Alphonsus*, Batchelor of the Canon Law, and Prior of the collegiate Church of *Aveiro*.—— And finally the Inquisition was set up at *Goa*, in the *Indies*. *Francis Xaverius*, signified by Letters to King *John* III. *November* 10, 1545. " That the Jewish Wickedness spread " every Day more and more in the Parts of the *East Indies*, subject to the " Kingdom of *Portugal*; and therefore he earnestly besought the said King

" that

" that to cure so great an Evil he would take Care to send the Office of " the Inquisition into those Countries. Upon this Cardinal *Henry*, then In- " quisitor General in the Kingdom of *Portugal*, erected the Tribunal of the " holy Inquisition in the City of *Goa*, the *Metropolis* of that Province, and " sent into those Parts Inquisitors, Officials, and other necessary Ministers, " who should take diligent Care of the Affairs of the Faith. The first In- " quisitor was *Alexius Diaz Falcano*, sent by Cardinal *Henry*, *March* 15. *A.* " 1560. who came to *Goa* the End of that Year, and began to execute the " Office of Inquisitor *.

After having at large related these Things, *Sousa* thus concludes, " From " these Things, and from the Apostolick Bulls, of which the Originals are " preserved in the royal Archives, and in the Rolls of the holy Inquisition; as " also from the Books of the particular Inquisitors of this Kingdom, 'tis evident, " that the above mentioned Authors are mistaken in their Account, that *Sa-* " *havedra* erected the holy Tribunal of the Inquisition in *Portugal*, or was the " Cause of its Erection. For before this the first Apostolick Brief for its " Institution was publish'd, 1531. and the second, *A.* 1536. whereas *Sa-* " *havedra*, according to those Authors, was not till three Years after, *viz.* " *A.* 1539. which *Paramus* ought to have observed." But *Paramus* also far- ther affirms, That before the Year 1539. the Inquisition was in *Portugal*, and tells us, that the same *Didacus de Sylva* was Inquisitor; and that this In- quisition was no better than an Image of the genuine Inquisition; and that the Inquisition, after the Manner of *Spain*, was brought in by the Fraud of *Sa- havedra*. *Sousa* adds also other very probable Arguments to shew the Rela- tion of *Paramus* to be contradictory, and ends his Account with this; " That " 'tis not to be believ'd, that an Impostor, pretending to the Authority of a

* [*John Peter Maffeius*, Hist. Indic. *l.* 16. *p.* 758, 759. gives a more distinct Account of the Original of the Inquisition at *Goa*. About the same Time there was an horrible Wickedness committed at *Lorinum*. In the principal Church of that City, there was put up a Chest, to receive the Charity of pious Persons: They who had the Keeping of it, found in it some vile Papers, containing horrible Curses and Reproaches against Christ, the Author of the Salvation of Mankind. Besides, *Consalvus Sylveria*, a Jesuit, a Man noble by his Birth, but much nobler for his Virtue and Learning, who then preached in the same City, and afterwards was slain for the Cause of Christ, at *Monomotapa* in *Æthiopia*, was reviled. This most impious, wicked and audacious Crime was suspected by many plain Tokens, to be committed by the false Brethren of the Circumcision, of which Dregs several from *Europe* were by Stealth admitted for Money, by the Wardens of the Ports, or Masters of Ships, and brought into the *Indies*, under the Disguise of Merchants. There they conspired the Prejudice and Destruction of the Christian Name, with the *Ægyptians* who were generally *Jews*, and of whom there was a great Number in those Places, and with Persons of other Nations and Sects. Upon this Occasion the King began to introduce the sacred Inquisition into those Countries, which is there exercised to this Day at *Goa*, by proper and approved Persons, skilful in the Divine Law, to the great Advantage of the Christian Religion. All these Things are taken Word for Word out of *Maffeius*, by *Paramus*, *l.* 2. *t.* 2. *c.* xviii.]

This Insertion the learned Author ordered to be added, *p.* 89. but as he forgot to mark the Word after which it should be put, I have added it, I think, in the proper Place, and in a marginal Note, that I might not spoil his Connection.

" Car-

" Cardinal, and Legate a Latere ſent to erect the Inquiſition, could ſtay ſix " Months in this Kingdom, without being diſcovered. For at that Time " the Ambaſſadors of King *John* III. were at the Court of *Rome* to ſolicite " the Affair of the Inquiſition, to whom the King would undoubtedly have " ſignified the Coming of ſuch a Nuncio, and they would have certified him " of the Truth of it, as they had ſix Months to do it in, which yet was ne- " ver done. At the ſame time he wonders, as he well may do, at *Paramus*, " that he did not more accurately trace out the Original of that Inquiſition, " of which he intended to treat, even though he himſelf is a Miniſter in " it to this Day, and muſt know the Miniſters of that Time, becauſe there " could be no Difficulty in looking over the Bulls of its Inſtitution or " Foundation, in which we have an Account of it to the preſent Time in " a continued Series without any Intermiſſion."

He thinks *Paramus* was a little too credulous, becauſe, though he confeſſes, " That *Sabavedra* was a wicked Man, accuſtomed to Frauds, and a Cheat, and " that ſuch an Event ſeems very improbable, and contrary to his Underſtand- " ing; yet nevertheleſs believes that it happened juſt as he relates it, and thinks " it abſolutely certain, upon the ſole Authority of *Sabavedra*, who thus wrote " concerning himſelf:" And he therefore thus refutes *Paramus*, who could not perſuade himſelf to think that *Sabavedra* would dare to faſten ſuch a Crime upon himſelf. " As though a Knave, a Cheat, and an infamous Fellow, " would not think it the greateſt Honour to be had in univerſal Remem- " brance for ſo famous an Undertaking, or refuſe to aſſert that this was the " Cauſe of his Puniſhment and Condemnation to the Gallies, that hereby he " might conceal the real Crimes that brought him to this deſerved Puniſhment."

After the Inquiſition had been introduced into *Portugal*, three general Indulgences were granted to the whole Nation of the Deſcendants from the *Hebrew* Converts, in the whole Kingdom and Dominions, ſubject to it, and which were publiſhed all over the Kingdom. The firſt was granted by *Clement* VII. by a Bull expedited, *Ap.* 7th. *An.* 1533. which had not its Effect. Afterwards *Paul* III. who ſucceeded *Clement* in the Popedom, confirmed the general Indulgence which he had given, and granted it anew, *Octob.* 12, 1535. and afterwards, *A.D.* 1536. ſent Letters to erect the holy Tribunal of the Inquiſition, of which I have given an Extract out of *Bzovius*. The ſecond was given by the ſame *Paul* III. *May* 11, 1547. For whereas the Inquiſitors, as they ſay, had before proceeded with great Moderation in Favour of the new Converts, the Good of the Church required that they ſhould proceed againſt Judaiſers according to the Rigour of the Law. And therefore the Pope reduced the Method of Proceſs in the Inquiſition, according to the Form of Law. But leaſt the new Converts and their Children ſhould become ſubject to a rigorous Inquiſition for their paſt Errors, he granted a general Pardon. This was publiſhed *June* 10, 1548. The third was granted by *Clement* VIII. *Aug.* 23, 1604. and publiſhed in *Portugal*, *Jan.* 16, 1605. The Cauſes of it, as we may gather from the Bull it ſelf, were three. Firſt, That the Inquiſitors ordered the Puniſhments againſt Hereticks to be execu-

Souſa, *Aphor. Inquiſ. l.* 4. *c.* 15.

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ted without Remission. Secondly, Least the Descendants of the *Hebrews*, finding themselves precluded from obtaining Pardon, should grow worse, and add Sins to Sins. Thirdly, Because upon the Grant of such a general Pardon, it was undoubtedly to be hoped, that in a little while, they who had departed the Kingdom, would return to it, and retain the Catholick Worship and Faith under Obedience to King *Philip*, who, as *Sousa* says, greatly desires it, and earnestly seeks it.

He who carefully considers the Reasons of these Pardons, will easily discern, that under the Name of Pardon they introduced a greater Cruelty and Rigour. This is too evident by the second Indulgence. They wanted a more severe Inquisition against the new Christians; and therefore that they might have some Pretence for it, and do it without any Appearance of Wickedness, they abrogated the former Inquisition, that so they might introduce a new one much worse than the former. This *Sousa* very plainly intimates, who defends this Indulgence upon this Account, that *we see the Disposition of the Law is justly altered and changed, because of new Emergences that arise, and because we want a new Remedy.*

Aphor. Inquis. l. 4. *c.* 19. §. 9.

Even these Indulgences themselves, though they seem very large, yet are limited with many Restrictions. "They are indeed granted to all the *Jewish* "new Converts to the Faith, of both Sexes, in the Kingdom of *Portugal*, and "Dominions thereof, and to their Children, Grandchildren, and Descendants "living in the same, whither Natural or Foreigners, present or absent, and "to those also who have departed out of the said Kingdoms or Dominions to "other Places, even though put under the Bann. *Clem.* VII. *Paulus* III. and "*Clem.* VIII. However, those who are absent, have no Benefit from these Pardons, if they have not retained the Habit and Name of Christians, but have "openly apostatised from the Christian Faith. *Clem.* VII. *Paulus* III. and "*Clem.* VIII.

Ibid. c. 16, 17.

"All Crimes of Heresy, Apostacy from the Faith, Blasphemy, and all "other Offences whatsoever, however heinous and qualified, are forgiven to "the aforesaid Persons.

"They are absolved from every Sentence of Excommunication, Suspension and Interdict, and from all other Ecclesiastical Censures, although they "have been under them for 40 Years and upward, and though the Apostolick See should have been consulted upon account of them, and from those "also contained in *Bulla Cœnæ*.

"They are absolved from all the aforesaid in the Civil, Criminal and Litigious Courts, and in the Court of their Conscience and Mind. But from "other Crimes, not savouring of heretical Pravity, they are absolved in the "Court of Conscience only.

"They are restored to the Condition they were in, at the Time they were "baptized, are freed from every Mark of Infamy, contracted by themselves "or their Kindred, as though they had never departed from the Catholick "Faith. They are restored also to every Dignity, Degree, Office, Benefice, or Order, in which they were before, and are moreover qualified "to obtain all such Dignities. But *Clement* VIII. did not grant this Qualification.

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"All their confiscated Effects, and all the Profits arising from them are "to be returned to them, though they should be in Possession of others, pro-"vided they be not brought into the Treasury.

"All Persons in Prison, or otherwise in Custody, banished, or under the "Bann, even though under Sentence for the aforesaid Crimes, are to be "wholly freed from Prison, Custody, Banishment, and the Bann.

"All Processes, Informations, Proofs, Cautions, Surety-ships, and Obli-"gations, of every kind, though confirmed with an Oath, are to be made "void. As also all Injunctions against them for the Crime of Heresy, Apo-"stacy, Blasphemy, or other Things savouring of Heresy, so that they "shall not hereafter in any manner be accused, or molested upon account "of them: Neither shall any Proof, no, not the least, be ever after taken "against them for the aforesaid Crimes.

"No publick Penances are to be enjoined them, and they are to be freed "from those already laid on you.

"Those who are at present relapsed, and kept in Prison for the Crime "of relapsing into Heresy or Apostacy, are not to be delivered over to the "secular Court to be punished with Death, but to be dismissed with such Pe-"nalties as the Inquisitors shall think fit to lay on them. *Clement* VIII. grant-"ed them no such Immunity.

"Such who shall make use of this Favour, though they relapse into Here-"sy or Apostacy, shall not be accounted as relapsed, unless they have ju-"dicially abjured."

The Restrictions by which these Indulgences are circumscribed and limited, are various. "Such who shall fall into any Heresy, or persist in their old Er-"rors, after the Day of the Publication of this general Indulgence, shall not "enjoy the Immunities granted by *Clement* VII.

"None but such as are contrite in Heart, and after Confession in the Sa-"crament of Penance, are absolved by a Confessor chosen by themselves, "but approved by the Ordinary, shall obtain Absolution in the Court of "Conscience.

"None shall be delivered from the Penances enjoined them by the Inquisi-"tors, unless they have fulfilled them when out of Prison.

"Such shall not be dispensed with for their Irregularity, who in Contempt "of the Keys, have celebrated Masses, or been otherwise present at them, "when they have been under Censures.

"Those who have abjured, are bound to perform the Penances enjoined "them, who, upon a previous Abjuration, have been delivered out of "Prison.

"They are not exempted from abjuring before the Inquisitors, who being "in Prison, or out upon Bail, have been convicted, or confessed; nor are "they freed from their Relapse, if they shall afterwards relapse into Heresy "or Apostacy.

"According to the Bull of *Clement* VII. it was necessary to obtain the In-"dulgence granted by the said Bull, even in the external Court, that they

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"should confess their Crimes before the Nuncio, Inquisitors, Ministers deputed by them, or Confessor chosen by them to whom the Indulgence was granted, and that their Names and Sirnames should be written in a Book. This Condition was taken away by *Paul* III. and *Clement* VIII. as to the Temporal, Criminal, Civil, and Litigious Court, by which the aforesaid Persons are exempted from Confession, Abjuration, Renouncing, Punishment, and every other Attendance whatsoever.

"They shall not enjoy the aforesaid Immunities, who, at the Time of the Publication of these Letters, have no manner of House or Habitation in the Kingdom and Dominions of *Portugal*, and shall not return into the said Kingdom or some of its Dominions, within the Term prescribed them by these Letters.

"The Sentences already pronounced against the aforesaid Persons, and committed to Execution, are not to be annulled."

Besides these three, no other Indulgences have been granted to the new Christians in *Portugal*, and the *Portuguese* Divines use many Arguments to prove that no other ought hereafter to be given them, alledging, amongst other Things, "That the chief Pontiffs and the Inquisitors General in the Kingdom of *Portugal*, have often used this Method of Cure without any Success. For from the Time of the doubled Indulgence, they are the Words of *Sousa*, they were not cured by Mildness. When afterwards, from the Year 1535, to the Year 1548, some Punishments were inflicted on them, but not according to the full Rigour of the Law, their Wickedness still encreased. When after this, to the Year 1606. the Law took Force in its full Severity, there yet appeared no Sign of Repentance in them. And when again they had the Ease of a general Indulgence, and some Favours were conferred on them, their Wickedness grew to such an height, that they seemed almost incurable." *So that since neither Mercy nor Justice hath any Effect upon them, greater Extremities must be used, and they ought to be treated according to the severe Sanctions of the sacred Canons; and because they still remain addicted to the* Jewish *Errors, the most terrible Punishments are to be inflicted on them. For where the Process of the Inquisition hath not been interrupted by so many Indulgences, as in* Spain, *Judaism is almost extinguished.*

Ibid. c. 21. *n.* 9.

Ibid. c. 22. *n.* 4, 5.

Sebastian, King of *Portugal*, upon Occasion of his unfortunate and fatal Expedition into *Africa*, granted to the Descendants of the *Jews*, for a large Sum of Money, that their Effects should not be confiscated for ten Years, much against the Advice of his Uncle *Philip* II. King of *Spain*: This Indulgence he granted them by the Authority of *Gregory* XIII. by his Bull expedited, *Octob.* 6, 1579. But afterwards upon the Rout of the King's Army by the *Saracens*, Cardinal *Henry*, the King's great Uncle, succeeded him in the royal Dignity, who immediately, *Decem.* 19, of the same Year, recalled the said Grant, with the Pope's Consent, alledging this Reason in the Decree of Revocation, *That after the most mature Consultation of learned Men, they all agreed that he was bound to make such Revocation, because the Good of the Faith greatly required it.* After *Philip* King of *Portugal* obtained the Crown, the

the new Christians offered him a large Sum of Money, and besought him, that he would procure in their Favour a general Indulgence from the Pope. But he contemned their Prayers, though he was at that Time at War with *France* and *England*, his Divines suggesting to him, *That God was greatly offended with such Money, and that he could expect no prosperous Success from it.*

The following Years the new Christians in *Portugal* endeavoured by many Entreaties to procure the Abolition, or at least Mitigation of the Inquisition. For after that King *Alphonsus* was expelled his Kingdom, and succeeded by his Brother *Peter*, he endeavoured to gain the Affections of his Subjects by Indulgence and Kindness, the better to establish his new Power, which gave some Hopes to the new Christians of being released from the Inquisition. Upon this they deputed certain Persons, who on the 9th of *June*, *An.* 1676. presented, in the Name of the whole Nation, their humble Petition to his Highness, in which they represent to him, that they had before offered their humble Petition to him, for Leave humbly to desire of the Pope some Mitigation of the Inquisition; putting him in mind, that after mature Advice of many Divines, and Doctors of the Law, he had condescended to their Request. They add, that for this End they had sent their Ambassador extraordinary to *Rome*, and that the Office of the Inquisition, and College of Bishops, had also sent thither Deputies, who were both Inquisitors, furnished with the Letters of his Highness. But that they were certified by Letters from *Rome*, that his Ambassador had not only refused to procure them any Assistance, but joined his Endeavours with those of the Inquisitors Deputies, to prevent their Affair from being ever brought on the Carpet, because they did not care that the least Alteration should ever be made in the Laws of the Inquisition. They therefore requested from his Highness an authentick royal Instrument, to certify the Pope, and the supreme Congregation of the Inquisition at *Rome*, that it was not his Highness's Intention, that the Decision of their Cause should be suspended, but that it was his Desire that they should have Justice. The same Day also they presented an humble Petition to the King's Confessor, to beseech him, that he would dispose his Highness to grant their Request.

But as all this proved in vain, they presented an humble Petition to the Pope, *Jan.* 10, 1680. in which they acquaint him, that they were sent and deputed by the new Christians in the Kingdom of *Portugal*, and especially by those who were detained in the Prison of the Inquisition, who were about 500 in Number, of all Sexes and Conditions, some of them having been there twelve, others fourteen, and none of them less than seven Years, and almost destroyed by Nastiness and Filth. They farther relate the various Miseries of the new Christians, and how their Affair hath been prevented from being expedited by the Artifices of the Inquisitors. They therefore beseech the Pope that he would graciously regard and pity that miserable People, and renew his Commands to the Inquisitors to hasten their Affair: And the more to move him, they give him Specimens, which they affirm they can prove by proper Witnesses, by which it plainly appears that the Inqui-

sitors, notwithstanding the Pope's Prohibition, continually proceed in the Administration of their Office, and Oppression of the Miserable.

The same Year, *March* 11. they presented another humble Supplication to the Pope, in which they acquaint him, that after their having presented their former Petition, they had received Letters from *Lisbon*, by which they are informed how many Things were transacted at Court, in Favour of the Inquisitors, and such, which in the present State of Things, were greatly contrary to their Expectations. They also give a large Account of what had happen'd upon Account of the Revolution in the Kingdom; that the Papers and Writings, which they had delivered to the Pope, as also the Writings of the Courts and Halls, were in the Possession of the *Portugueze* Inquisitors, who publickly talk'd of them, and permitted every one to read them, by which they prejudiced others against them: And therefore beseech the Pope, that he would regard them, and put an End to their Miseries.

Finally, in the same Year, *August* 6. they presented a third Petition, in which they tell him, that they had humbly petitioned the Apostolick Nuncio at *Lisbon*, who had referred them to the Archbishop of that See: That in Obedience to his Rescript, they went to the Archbishop. That he had a Conference with the Inquisitor General; and that after a long Consultation nothing was concluded on. That the Archbishop indeed declared, he knew of a Remedy, and could point it out; but that he would not contend with the Inquisitor about it, till he was suspended and deposed from his Office by him, who had the legal Authority to suspend and depose him. And that therefore, since they could not find Relief from his Nuncio, they apply themselves to the Pope, and most earnestly beseech him that he would expedite their Affair.

From these Accounts 'tis plain that these Deputies had some Hopes given them of Favour; but that they were deluded with empty Words and flattering Promises: For they still groan as before, under the cruel Yoke of the Inquisition, without any Mitigation of their Punishments; and to this Day are liable to all the Penalties ordain'd against Hereticks.

CHAP. XXVI.

Of the Attempt *to bring the* Inquisition *into the Kingdom of* Naples.

Param. *l.* 2. *t.* 2. *cap.* 10.

AFTER *Ferdinand* and *Elizabeth* had brought the Inquisition into all the Kingdoms of *Spain*, they would feign have introduced it into others, that were under their Dominion. For as many of the *Jewish* Race had fled out of *Spain* for Fear of the Inquisition, into the Kingdom of *Naples*, and as that Kingdom had been again brought into Subjection to *Ferdinand*, *Didacus*

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Deza at that Time General Inquisitor of *Spain*, sent thither in the Year 1504. *Peter Balforatus*, Archbishop of *Messina*, with the Power of Inquisitor. *Ferdinand* gave him Letters to the Governor, Nobles, and University of *Naples*, that they should give him all Assistance and Favour. He tells them that a great Number of Hereticks, having fled from the Kingdoms of *Spain*, through Fear of the holy Office of the Inquisition, had sheltered themselves there as in a Place of Safety, who had been burn'd in Effigy because of their Absence; and that therefore, to purge that Kingdom from the Crime of Heresy, he had appointed *Peter Balforatus*, Inquisitor of heretical Pravity: He therefore commands them to receive him as such, to give him in all Things the Assistance of the secular Arm, and not to suffer him, or any of his Family to be molested. But as there arose many Difficulties and Discouragements, he could not finish his Undertaking.

In the Year 1547. *Charles* V. being Emperor, *Peter* of *Toledo*, Viceroy of *Naples*, endeavour'd to introduce the Inquisition there, by the Command of *Charles*. But as he apprehended this would be a difficult Thing, he put those into the publick Offices, who he thought would be most forward to promote it. After this he publickly declared, That it would greatly tend to the Establishment of Divine Worship, would be serviceable to the Commonwealth, and be highly grateful to the Emperor; if after the Example of the *Spaniards* and *Sicilians* they would receive the holy Office. But the *Neopolitans* were so moved with the Novelty of the Thing, that they publickly declared that they would rather loose their Lives than submit to the Inquisition; and cry'd out, that the Extirpation of Heresies belonged to the Pope and the Ecclesiastical Judges, and not to the Temporal Prince. When Pope *Paul* III. understood this, he declared by his Apostolick Bull, That the Inquisition against Hereticks belonged to him and his Judges, and not to any other. The King indeed would have had the Inquisition at *Naples* to be subject to the supreme Council of the *Spanish* Inquisition, as were those of *Sicily*, *Sardinia*, and the *Indies*; whereas the Court of *Rome* would have had it subject to them, because not only the Ecclesiastical but Secular Government of the Kingdom of *Naples* is under the Pope. However the Viceroy, that he might not seem to yield to popular Fury, appointed Inquisitors and Officials of the holy Office; with which the *Neapolitans* were so enraged, that on a certain Day, when two Persons were leading to Prison, and crying out they were taken up by the Inquisition, they broke into open Sedition, ran immediately to Arms, and bound themselves by mutual Oaths, insomuch that there was a Civil War, between the Citizens of *Naples*, and the *Spanish* Garrison, in which many on both Sides were slain. At length the *Spaniards*, who held the Fortresses, prevailing, and beating down their Houses with their great Guns, the Tumult was appeased, and the Principal were punish'd, Part with Death, and Part with Banishment. However, the Viceroy gave over the Attempt of introducing the Inquisition, not so much for Fear of a new Tumult, as at the Intercession of the Pope and Cardinals, who opposed the Inquisition, as not being subject to their Court. And because the *Spaniards* are determined to bring in

Hist. Con. Trid. l. 3. *p.* 313, 314. Thuan. *Hist. lib.* 3.

Paulus Serv. *de Inquis. Venet.*

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the Inquisition to *Naples* subject to their supreme Council, and the Court of *Rome* is equally determined to oppose these Attempts of the *Spaniards*; hence it is that the Kingdom of *Naples* is to this Day free from this intolerable Yoke: And therefore, if any Matters of Faith are to be judged there, it is done either by the Bishop, or some other Prelate appointed by the Court of *Rome*, who nevertheless dares not begin the Affair without Leave first obtained from the Viceroy.

CHAP. XXVII.

Of the INQUISITION *in* SICILY, SARDINIA *and* MILAN.

lib. 2. *t.* 2. *cap.* 11. *n.* 8.

THE Inquisition had been long before brought into *Sicily*. *Paramus* gives us a Privilege of King *Alphonsus*, in the Year 1452. in which Mention is made of Friar *Henry Lugardi*, a Predicant of *Palermo*, and Inquisitor of heretical Pravity in that Kingdom; by which he confirmed the Privilege given to him by the foresaid Inquisitor, which *Frederick* the Emperor had granted to the Inquisition in *Sicily*, at *Palermo*, in the Year 1224. By this Privilege *Frederick* is said to have ordained, *That one third Part only of the confiscated Goods should be appropriated to the Treasury; a third Part reserved to the Apostolick See, and the other third, without any Contradiction, assigned to the Inquisitors, that the spiritual Husbandman may not be defrauded of his Reward, nor so wholsome an Inquisition come to nothing through want of Necessaries to support it.* From whence *Paramus* infers, that the Inquisition was brought into *Sicily*, *An.* 1224. But this Privilege is liable to just Suspicion, unless there be an Error as to the Year. For I have shewn before, that the Inquisitors had no Tribunals granted them any where at that Time; and I shall hereafter prove, that the Distribution of the forfeited Effects into three Parts, did not take Place till several Years after. But whatever becomes of this Privilege, 'tis certain that the Inquisition was establish'd in *Sicily*, *An.* 1452. and whether this Privilege of *Frederick* was genuine or forged, it was confirmed by King *Alphonsus*. It was afterwards confirmed by *Ferdinand* and *Elizabeth*, *An.* 1477. at *Seville*, who took the Title of King and Queen of *Sicily*, though *John*, King of *Aragon*, and Father of *Ferdinand*, was yet alive. This Inquisition the Emperor *Charles* V. favoured with many Privileges; the Patents for which, *Paramus* gives us in a long Catalogue.

In the Year 1535. an Official was sent by the Inquisitors, to the Town of St. *Mark*, to apprehend certain Hereticks; but he was assaulted by *Matthew Garruba*, and a large Company with him, who killed many of his Attendants, and gave the Official himself many Wounds, and left him half dead on the Ground. The Nobles also of *Palermo*, and the other Inhabitants of the Kingdom forced the Inquisitor by Threats, to depart, and made him go on Board

a Ship that was ready to sail from the Port; and burn'd down the Office of the Inquisition, with all the Papers in it; so that the Inquisition was interrupted and suspended during the Space of ten whole Years. After this the Emperor, by Decree of his Council, renewed it, *An.* 1543. and ordered it to be restored to all its former Privileges, which were confirmed by *Philip* II. *An.* 1546. The Consequence of this was, that the Nobles, Barons, and most illustrious Persons of the Kingdom, who before hated every Thing belonging to the Inquisition, and the very Name of its Ministers, now desired to become its Officials and Familiars; and by their own Liberality caused to be built convenient Prisons for the Guilty, which could not be done before by Reason of the small Revenues and Returns of the holy Office. When ever there are any Edicts publish'd, or Acts of Faith celebrated, they assist at them in great State, and accompany the Inquisitors in their Progress through the Isle, entertain them generously, and secure them from every Insult; so that no Sedition of the People can possibly overthrow it. For in the Year 1562. as the Inquisitor *Horosius* was publishing an Edict of the Faith at *Palermo*, and was hinder'd by the Tumult of the People, the Sedition was easily appeas'd by the Appearance of the Nobles and Barons, who were Familiars; so that the following Day the Edict was publish'd with universal Applause, and without the least Opposition. And when afterwards there arose some Differences between the Viceroy and secular Judges on one Hand, and the Inquisitors on the other, about their Jurisdiction, *Philip* II. with the Advice of two Counsellors of the Supreme General Council of the Inquisition, *An.* 1580. confirmed all the Prerogatives of the Inquisition; and in the Year following decreed, that the Counsellors of the holy Office, and the Familiars thereof, should, in all Causes, Civil and Criminal, enjoy the Pre-eminences and Court of the holy Office, as Persons of the same Rank with the Pensionary Officials. After this he commanded the Viceroys, by his Royal Letters, *September* 18, 1587. that they should pay all that Honour and Observance to it, which so holy a Service was worthy of. But in the Year 1592. Count *Alva*, Viceroy of that Kingdom, declared by a publick Edict, that the Prerogatives of the Nobles, Familiars of the Court of the holy Office, were suspended; and from thence they have had no great Affection for the Inquisition, nor any longer discharge the Function of Familiars.

The same Princes brought the Inquisition into *Majorca*, *Minorca*, and *Sardinia*; but not without so great a Tumult of the People, as could hardly be suppressed. *cap.* 11 & 12.

In the Dutchy of *Milan*, after it had flourish'd there for many Years, King *Philip* II. by the Persuasion of *Pius* IV. would have formed it after the Model of the *Spanish* Inquisition. [During the Council of *Trent*, *Philip* mov'd *Pius* IV. that the Inquisition at *Milan* should be under the same Regulation as it was in *Spain*, and that he would place at the Head of it a *Spanish* Prelate; alledging that in regard of the Nearness of the Places infected, it was necessary to use the most exquisite Diligence for the Service of God and the Defence of Religion. It was soon known that the *cap.* 30. *Hist. Con. Trid. l.* 8. *p.* 882.

Matter had been debated in a *Consistory*; and that notwithstanding some Cardinals opposed it, the Pope seemed inclin'd to grant it, at the Instance of Cardinal *Carpi*, who assured him, that it was necessary to keep the City of *Milan* in Devotion towards the Apostolick See. This he did from a secret Hope, cherish'd by the *Spanish* Ambassador, that by this Means he would secure the Favour of the King of *Spain* to make him Pope. Hereupon the Cities of that State, sent *Sforza Marone* to his Holiness, *Cæsar Taverna*, and *Principuale Bisosto* to the Catholick King, and *Sforza Brivio* to the Council of *Trent*. This last they commissioned to beseech the Prelates and Cardinals of those Places to have Compassion on their Country, which being already render'd miserable by excessive Impositions, would be wholly ruined by this which was worse than all the other; many Citizens already preparing to abandon their Country, well knowing that that Office did not always proceed in *Spain*, to heal the Conscience, but very often to empty the Purse; and for other secular Ends also. And if the Inquisitors, under the King's own Eyes, do so rigidly dominere over their own Countrymen, what will they not do to the Citizens of *Milan*, who are so far distant from any Remedy, and have a much less Interest in their Affections. *Brivio* also declared at *Trent*, how generally the Citizens were perplexed with this ill News, and besought the Assistance of the Prelates. This Relation gave greater Uneasiness to the Prelates, who had more to fear from the Inquisition, than it did to the Seculars. The Prelates also of *Naples* were afraid, that if this Yoke were put on the *Milaneze*, they could not keep it off from themselves, as they had done for some Years before. And therefore the Prelates of the *Milaneze* met together, and resolved to write Letters to the Pope, and Cardinal *Borromeo*, subscribed by them all, signifying how great a Prejudice it would be to him, to whom it belonged as Archbishop, to preside in that Office. They put the Pope in Mind, that there were not the same Causes and Respects as there were in *Spain*, to put so rigorous an Inquisition amongst them; which besides the evident Ruin it would bring on that State, would be a great Prejudice to the holy See. For that he could not refuse to establish it in *Naples* also, which would give Occasion to other Princes of *Italy* to desire it in their Dominions; and since the Jurisdiction of the Inquisition extended over the Prelates, the holy See could not expect much Obedience from them, because they would be forced to seek the Favour of secular Princes, to whom by this Means they would become subject: So that if there should be any Occasion for a new Council, the Pope would find but few of the Prelates faithful to him, and subject to his Commands. Neither ought he to believe what the *Spaniards* might possibly alledge, that the Inquisition in *Milan* should be subject to that at *Rome*, since it appears by Experience, how they proceeded in the Cause of the Archbishop of *Toledo*, always refusing to transmit the Processes to *Rome*, though it had been often demanded from them, as is practised also by the Inquisitors of the Kingdom of *Sicily*, who depend on *Spain*. The Prelates not content with these and other Reasons, alledg'd to the Pope and Cardinals, and others in whom they had any Interest at *Rome*, did farther propose, that some-

ſomething might be inſerted in the Decrees of the Council in Favour of the Biſhops, either to exempt them from that Juriſdiction, or ſecure them; and that the Manner of forming Proceſſes in that Affair might be determined, which though it could not be accompliſhed in the next Seſſion, might in that immediately following. Cardinal *Morone*, at that Time Preſident of the Council, gave them ſome Hopes of Satisfaction. This Accident gave the Council much Trouble, becauſe of the great Number intereſted in it. In the mean while this Attempt to introduce the Inquiſition was looked on with ſuch Indignation at *Milan*, that the City broke out into an open Sedition; where the univerſal Cry was, that it was inſufferable Tyranny to impoſe on a free City the Yoke of the Inquiſition, which was introduced into *Spain*, to root out the *Moors*, and the wicked Nation of the *Jews*; eſpecially ſince, according to the moſt ancient Practice of the Apoſtolick See, Inquiſitors had been deputed into that Province. Upon this the Duke of *Seſſa*, underſtanding what general Offence it gave, and fearing from ſome Reports which had been brought him, leaſt the Citizens of *Milan* ſhould take Example from the *Low Countries*, who univerſally agreed to take up Arms to ſhake off the Yoke of the Inquiſition, which was endeavoured to be put on them, and knowing it was not a proper Time to preſs this Affair; ſtopped the Ambaſſadors that had been deputed to the King, and promiſed that he would take Care that the Senate ſhould have Satisfaction. And thus ended this Affair.] Param. l. 11. c. 30.

CHAP. XXVIII.

The Return of the INQUISITION *into* Germany *and* France, *at the Time of the* REFORMATION.

WHEN *Luther* bravely attempted the Reformation of the Church, and ſeverely cenſured the various and intolerable Abuſes of the Church of *Rome*, perſevering with great Conſtancy in the Work he had undertaken, in Spite of Threatnings, Anathema's, and the Papal Thunders; and whereas *Suinglius*, *Oecolampadius*, and others in *Suiſſerland*, and elſewhere, oppoſed the growing Superſtition, and propagated the Reformation with great Succeſs in many Places and Countries; the Pope, to put a Stop to the Courſe of their Preaching did not only continually ſtir up the Emperor, the Kings and Princes againſt *Luther*, and all who oppoſed the Doctrines of the Church of *Rome*, but reſtored alſo the Inquiſition in many Places, which had grown into Decay in ſeveral Countries, either through the Cruelty of the Inquiſitors, or the Want of Hereticks to proceed againſt, and commanded it to proceed with great Severity and Rigour againſt what they called the new Hereſies. So that now the Authority of the Inquiſitors was encreaſed in *Germany*, and many were condemned for Hereſy by the Sentence of that holy Tribunal, and being delivered over to the ſecular Magiſtrate were burn'd to Death.

From *Germany* that bloody Tribunal was soon brought into the neighbouring Kingdom of *France*, where it had drop'd of it self, for want of Heresies to proceed against. *Antonius a Prato*, Presbyter Cardinal, by the Title of St. *Anastasia*, Archbishop of *Sens*, Primate and Chancellor of *France*, held a provincial Council, in *February*, 1528. in which, after he had condemned the Doctrine of *Luther*, *Melancton*, *Suinglius*, *Oecolampadius* and their Followers, he publish'd a general Decree, by which he declares and renews all the ancient Canons of the Lateran Council against Hereticks, their Favourers and Defenders, Persons suspect of Heresy, and relapsed, as they are extant in the Decretals, and sometimes guards them by annexing a Punishment. He moreover ordains, *That the Suffragans, if they suspect any Places of Heresy, shall immediately go themselves, or send other fit Persons, and oblige those of the Neighbourhood, by an Oath, to discover such Hereticks, who keep unlawful Conventicles. He also strictly commands them, That they should proceed with all Diligence and Care in this Affair, and proceed summarily and openly in the Business of such heretical Pravity. And if they be remiss or negligent in purging out this Leaven, let them know that they shall incur the Punishments ordained by the Sacred General Lateran Council. Let them also tremble at the Punishments published against the Inquisitors, who offend in their Office, by the Sacred Council of* Vienne. *Let the Suffragans also diligently observe the Constitutions of* Urban V. Clement V. *and* Boniface VIII. He beseeches moreover the King, *That he would immediately drive out all Hereticks from every Part of his Dominions.* Lastly, he ordains, *That the Rulers and Consuls of Cities shall take a corporal Oath, according to the Sacred General Lateran Council; that they will, according to their Office, assist, with all their Might, and lend their helping Hands, faithfully and effectually, to the Church in this Affair of Heresy, when it shall be demanded of them. And whereas the Bishops and Inquisitors, whilst they proceed in this Matter, may possibly require Assistance from secular Judges under Excommunication, he declares they shall not incur Excommunication by so doing.* To these Things he adds, in the Conclusion, after having recounted various Errors that had been condemn'd, an Exhortation to Christian Princes, that they should labour to extirpate Hereticks; and sets before them the Examples of *Constantine*, *Valentinian*, *Theodosius*, and others, who by their vigorous Endeavours against Hereticks, found Favour with God, and obtained immortal Honour amongst Men. And on the other hand, puts them in Mind of *Licinius*, *Julian*, *Valens*, and others, who experienced the Revenges of the Divine Anger, and received the just Rewards of their Wickedness; because, far from resisting heretical Errors, they supported and propagated them. *He earnestly beseeches and exhorts in the Lord, the Christian Princes, that as they would consult their Safety, as they would preserve unhurt their Rights of Sovereignty, and as they desire to preserve in Peace and Tranquility the Nations subject to them, they would powerfully defend the Catholick Faith, and endeavour to their utmost to suppress the Enemies of it. This will be easy, when the antient Edicts of Christian Princes against Hereticks, their Books and Favourers, are restored. When once these are put in Execution with an wholesome Severity, there will*

Bzovius, a. 1528. §. 41.

will be no Remains of Hereticks, none of their Books or Writings in their Provinces. Their mischievous Sermons will then be at an End, there will be no more clandestine Conventicles, in which Hereticks are wont to introduce strange Customs, abhorrent from Christian Piety. This is what we desire with all our Soul, and ask in our constant Prayers from the Lord, hoping that a Stop will be put to these Things, whilst Christian Princes bravely suppress Hereticks, and we add our pious Labours to prevent the Wolves from destroying the Sheep committed to our Care. And thus at length the Lord will grant us that Peace and Tranquility in this Life, which is so much desired and sought after by the Faithful, and after this Life shall be at an End consummate Happiness. But inasmuch as we know, that it is not sufficient to answer these Ends, merely to exhort the Faithful, unless the Rebellious are suppressed by proper Severity, we have decreed to provide a proper Antidote for this purpose. And therefore by that Authority with which we are invested, we by these Writings put under the Sentence of Excommunication, all Persons whatsoever in our Province, who shall presume rashly to assert, teach or write such impious Tenets, as also all such who by any Means shall assist, counsel or favour them. I cannot certainly affirm whither the Inquisition, which for many Years had been dropped in *France*, was by Means of this Synod restored there. This is certain, that the Laws used in the Tribunal of the Inquisition were renewed by the Decree of this Synod, and that there is express Mention of the Inquisitors in it; and by other Things it appears that about this Time the Inquisition was again brought into *France*. For *Francis* I. chose Inquisitors of the Faith from the Predicant Friars. For in the Orders of that Prince, *fol.* 408. there is a Writ bearing Date *May* 30, 1536. by which he appoints *Matthew Orry*, D. D. a Predicant Friar, Inquisitor of the Faith. *Ribadineira* also relates in the Life of *Ignatius* Du Cange
Loyola, Book II. Chap. II. and XIV. [and *John Peter Maffeius*, in his Life *in voce In-*
of the same *Loyola*, *l.* 1. *c.* 20. *p.* 315.] that about this Time he was accused *quisitio.*
before *Michael Orry*, a *Dominican* Divine, and Inquisitor of the Faith at *Paris*, and by him acquitted. There is also extant in the second Volume a like Writ of King *Francis*, *fol.* 247. dated *April* 10, 1540. by which Authority is granted to *Joseph Corregie*, a Doctor of the same Order, to execute the Office of Inquisitor of the Faith throughout the whole Kingdom. In the third Volume, *fol.* 482. there is a royal Statute, bearing Date *July* 23, 1543. by which Power is granted to the Ecclesiastical Judges and Inquisitors of the Faith, to make Inquisition against *Lutherans* and Hereticks, provided that Laicks, and such who had not received holy Orders, should be referred to the ordinary Judges. There is also another Statute of *Henry* II. dated at St. *Germain en Laye*, *June* 22, 1550. by which the Edict of *Francis* I. is recalled, and *Matthew Orry*, Inquisitor of the Faith, delivered from the Trouble of communicating to the supreme Courts, the Baillives and Seneschals, such Actions as he brought against Hereticks, provided he communicated them to the ordinary Diocesans or their Vicars. At the same Time that Power was confirmed to him, by which he was authorized to recover to a sound Mind, either by Instruction or Admonition, such as erred from the Faith, of grant-

granting Pardon and Mercy to the Penitent, and of punishing and correcting the Obstinate. This Statute was inserted into the Acts of Parliament, with this Condition added, That the said Inquisitors, in all privileged Cases, should share the Process with the Royal Judges. [Father *Paul*, in his History of the Council of *Trent*, *B.* 5. *p.* 484, and 487. mentions *Anthony Demohares*, Inquisitor of the Faith; and *p.* 494. speaks of other Inquisitors in *France*. And *Thuanus*, in his History, *B.* 8. *p.* 377. says, that in the Year 1551. 19th Cal. *Febr.* there was a royal Law rehearsed in the Senate, concerning the Power and Office of *Matthew Orry*, Inquisitor of heretical Pravity.]

How long the Inquisition continued in *France*, and how and when it ended, I can't exactly affirm. I am apt to think, that when Liberty of Religion was granted by the Royal Edicts to Dissenters from the Church of *Rome*, that Tribunal immediately ceased of it self.

CHAP. XXIX.

Six CARDINALS *appointed at* Rome INQUISITORS *Generals.*

IN *Italy* the Pope took all possible Measures, that the Inquisition should discharge its Office with the greatest Rigour. For when, in the Year 1530. the Vicar General of the Order of preaching Friars, signified to *Clement* VII. that the *Lutheran* Heresy prevailed in *Italy*, to the great Detriment of the Catholick Faith, this Pope published a Bull, beginning, *Cum sicut ex relatione.* And least this Heresy should spread like that of *Arius*, he commanded the Inquisitors to proceed against all, even the Regulars of every Order; but that they should absolve the Penitent, dispense with them upon account of their Irregularity; and grant Indulgences to the Cross-Bearers appointed for the Service of the holy Inquisition. He commands the Bishops, that in this Affair they should favour the Inquisition, any Thing to the contrary notwithstanding.

Bullarium

And that the Inquisition might proceed without any Impediment, he appointed a new Council of Cardinals Inquisitors Generals. Before this the Inquisitors were often forced to go to *Rome* to consult the Pope upon more difficult Affairs; and therefore least the Office of the Inquisition should be interrupted by the Absence of the Inquisitors, *Urban* IV. in the Year 1263. created by a Rescript, beginning, *Cupientes*, *John Caetanus Ursinus*, Cardinal of St. *Nicholas in carcere Tulliano*, General and Protector of all the Inquisitors, that there might be no need of their going to the Pope in Matters of Difficulty, but that they might consult the Cardinal by Letters, who was himself to consult with the Pope in all Cases of Importance. Among other Things he thus commands: *Whatever great and dangerous Impediments have arisen in the before mentioned Affair, let them be signified to our beloved Son,* John, *Cardinal Deacon*

Paramus, *l.* 2. *c.* 2. *c.* 1. *n.* 9, 10, 11.

of St. Nicholas in carcere Tulliano, *whom we have appointed to take Care of this Matter. And as to any other Difficulties that may hereafter arise, either for want of Assistants, or from any other Cause whatsoever, you may have Recourse personally to the said Cardinal if there be Need, and safely consult him by your Letters or Messengers, that we being sufficiently instructed concerning the Premisses, may provide sufficient Remedies against these Difficulties.* This Cardinal, when raised to the Papacy, and called *Nicholas* III. honoured Cardinal *Latinus Romanus*, his Nephew by his Brother, brought up amongst the Friars Predicants, with the same Office of Inquisitor General. After his Death, in the Time of *Celestine* V. the Office was vacant, and so continued till the Papacy of *Clement* VI. who conferred it on *William* of *Tholouse*, Cardinal of St. *Stephen* in Mount *Cælius*. He burnt some Hereticks, and did several Things for the Inquisition. But because this Dignity was not as yet fixed to the College of Cardinals, nor another primary Inquisitor immediately created by the Pope upon the Death of the former, as the Necessities of the Church of *Rome* required, the Inquisitors were again involved in the same Difficulties as before; especially at the Time when the Doctrine of *Luther*, which had spread it self through all *Germany*, began to appear in *Italy* also. And therefore the Cardinals *John Peter Caraffa*, and *John Alvarez Toledo*, persuaded Pope *Paul* III. to confer the Office of Inquisitor General upon some certain Cardinals.

Upon this, in the Year 1542. Pope *Paul* III. by a Constitution beginning, *Licet ab initio*, deputed six Cardinals, Inquisitors General of heretical Pravity, in all Christian Nations whatsoever, as well on one Side as the other of the *Alps*; and gave them Authority to proceed without the Ordinaries, against all Hereticks, and suspected of Heresy, and their Accomplices and Abettors, of whatsoever State, Degree, Order, Condition and Pre-eminence, and to punish them, and confiscate their Goods: To depute a Procurator Fiscal, Notaries, and other Officials, necessary to the aforesaid Affair: To degrade and deliver over to the Secular Court by any Prelate deputed by them, the Secular and Regular Clergy in holy Orders: To curb Opposers, to call in the Assistance of the secular Arm, and to do every Thing else that should be necessary: To substitute every where Inquisitors, with the same, or a limited Power: To take Cognizance of Appeals from other Inquisitors to them: To cite, forbid, and absolve, in the Court, and out of it, simply or conditionally, from all Ecclesiastical Sentences, Censures, and Punishments, all that should appeal to them. In this Manner he ordains all Judgments to proceed, and annuls every Thing to the contrary; adding withal a penal Sanction, that if any one shall break this Decree, or presume to dare to contradict it, let him know that he shall incur the Indignation of Almighty God, and of St. *Peter* and *Paul* his Apostles.

Bullar. Bzovius, *a.* 1542. §. 7.

Pius IV. afterwards enlarged the Power of these Cardinals, general Inquisitors of heretical Pravity. For in the Year 1564. *April*, *Id.* 7. by a Constitution which begins, *Romanus Pontifex*, he gave them Authority to proceed in a certain Form, against all manner of Persons, whither Bishops,

Bullar. Bzovius, *a.* 1564. §. 15.

Arch-

Archbishops, Patriarchs, or Cardinals, that were Hereticks, their Abetters, and suspected of Heresy, and of referring it to the Pope in a secret Consistory, in order to his pronouncing Sentence. In this manner he ordains Judgment to proceed, annuls every Thing to the contrary, and adds the ordinary penal Sanction.

Agreeable hereto in the Year 1563. the Pope commanded the Cardinals Inquisitors General to proceed at *Rome* against *Odettus.* [*Coligni* Cardinal *de Chastillion*, St. *Main* Archbishop of *Aix*, *John de Muntluc* Bishop of *Valence*, *John Anthony Caracciolus* Bishop of *Troyes*, *John Barbanson* Bishop of *Apam*, and *Charles Gilaz* Bishop of *Chartres*;] and at length, in a private Consistory, he pronounced Sentence upon each of them, by which he pronounces, judges and declares them to be Hereticks, Schismaticks, Blasphemers, degraded from all Honour and Profit of the Cardinalate, Archiepiscopal, or Episcopal Power, and Privilege of the Clergy, from the Day of their having committed their Crimes; deprived, and for ever incapable of all Offices, Honours, Dignities and Prelatures, and decrees that they shall be lawfully punished as Hereticks, and as unfruitful Branches cut off from the Church, and orders the Faithful of Christ to apprehend and detain their Persons, and deliver them over to the Ministers of Justice, in order to their suffering the deserved Punishments. [But the *French* King did not acquiesce in that Sentence. Before the pronouncing of it, the Cardinal of *Lorain* advertised the Pope, that the Maxims which prevailed in *France*, were very different from those amongst the *Romans*. That in this Kingdom it was very ill taken, that the Causes of the Bishops should, in the first Instance, be judged of at *Rome*. But when the Pope notwithstanding pronounced Sentence, the King commanded his Ambassador *Henry Clutin Oriselle*, that he should put the Pope in mind of former Examples, and of the Liberties and Immunities of the *Gallican* Church, and of the Authority of the King in Ecclesiastical Causes, and desire him, that at present he would not be the Author of so many Novelties. *Oriselle* executed his Commission with Diligence and Vigour, and after many Treaties with the Pontiff about it, obtained that the Affair of the Bishops should be dropped.]

Bzovius, *a.* 1563. §. 3. *Hist. Con. Trid. l.* 7. *p.* 808. *l.* 8. *p.* 908, 927.

Pius V. that there might be an universal Obedience paid to the Decrees of the Cardinals Inquisitors General, and that none might be able to withdraw from their Authority, commanded the Princes, Judges, and Ministers of Justice, that they should submit to and obey the Commands of these Cardinals in Matters relating to the Office of the holy Inquisition, in a Constitution put forth, *Ann.* 1566. which, as being short, I shall give entire.

Bullar.

Our most holy Lord, Pius V. *by the Divine Providence*, *Pope*, *hath appointed*, *decreed*, *ordained and commanded*, *that Matters of Faith be preferred to all other Things whatsoever*, *since Faith is the Substance and Foundation of the Christian Religion*; *and therefore*, *that all and every Person of this noble City*, *and its District*, *the Governor*, *Senator*, *Vicar*, *and Auditor of the Apostolick Chamber*, *and all Legates*, *Vice-Legates*, *Governors of Provinces and Countries*, *mediately and im-*

immediately subject to his Holiness, and the holy Roman *Church, and their Deputies, the Officials, Barisells *, and other Officers in those Places, and also all other Ordinaries of Places, and other Magistrates and Officials, and all Persons of whatsoever State and Condition in all and singular Countries, Towns and Cities throughout the whole Christian Commonwealth, do submit to and obey the said Cardinals Inquisitors, and their Orders and Commands in all Things concerning the holy Office of the Inquisition, under the Penalty of Excommunication, and the Displeasure of his Holiness, and of such other Punishments as shall be inflicted and executed at the Pleasure of his Holiness, and the most Illustrious and most Reverend Lords the Cardinals Inquisitors General.*

He beseeches also in the Name of God, That the Kings, Dukes, Earls, Barons, and all other secular Princes, would favour the said Cardinals Inquisitors and their Officials, and afford them their Assistance, and cause the several Magistrates subject to them, to aid them in all Things concerning the said Office: And that they would without Delay, send all Persons imprisoned for any Crimes, or heinous Offences, if they should be accused before the said Office of the Inquisition, to the same Cardinals and Prisons of the Inquisition, suspending all Process for other lesser Crimes, that they might be kept therein, till through Cognisance and Trial should be made of the Crime of Heresy; and after this to remit them to the civil Officers, to proceed against them for other Faults.

Supported by these Constitutions and Papal Decrees, the Cardinals Inquisitors extended their Power more and more. *Paulus Servita*, in his Time, complains, that whereas formerly the Pope sent his Inquisitors to the Princes with Apostolick Briefs, requiring them to protect and defend them by their Favour, as is even yet done in the Confirmation of a new Bishop; yet that now the Council of the Inquisition at *Rome* gave their Inquisitors such Orders, as tho' they sent them into their own Dominions and Territories, and will not suffer any Contradiction to their Commands. *Hist. Inq. cap. 3.*

At length *Sixtus* V. *An.* 1588. by a Constitution beginning, *Immensa Æterni Dei, &c.* appointed 15 Congregations of the Cardinals of the holy *Roman* Church, and assigned to each of them their proper Business. He approves the first Congregation held in the City for Inquisition of heretical Pravity; and confirms their Authority over all Prelates and Inquisitors, in Matters of Heresy, whether manifest or suspect, and the Privileges of their Ministers, and exhorts the Princes to support it, but so, that no Innovation should be introduced into the Office of the Inquisition, erected in the Kingdom of *Spain*, without consulting the Pope.

To these Cardinals Inquisitors General were added, for the quicker Dispatch and Determination of criminal Causes, a Commissary General of the holy *Carena. p. 1. t. 2. §. 4, 5, 6, 7.*

* *Bariselli.* I cannot find any particular Account of these Officers. *Barisa* is *genus poculi*, a sort of a Cup; and *Barillagium* is the Tribute paid for Wine Vessels; and *Barillarius* is that Officer who had the Care of the Royal Wines. Whither the *Bariselli* might not be some Officers to receive the Customs, or rather some Officers who had the Care of the Royal Provision, I am not able to determine.

Office, who is always a *Dominican*, and an Aſſeſſor General. [Beſides theſe there is preſent the Maſter of the ſacred Palace, who alſo always uſed to be of the *Dominican* Order. But becauſe his Power is very large, eſpecially in the Prohibition of Books, it is worth while to deſcribe that Office a little more diſtinctly. The Maſter therefore of the ſacred Palace, when there is a Conſiſtory, ordinarily reads in the Pope's Palace ſomething in Divinity. They ſay this Office was appointed by the Pope at the Advice of *Dominick*. For ſeeing daily, that when the Cardinals were engaged with the Pope, their Clergy and Attendance ſpent their Time in idle Walks and Trifles, he went to the Pope, and ſaid, It was a Shame that thoſe Miniſters, who profeſſed all Virtue, ſhould do ſuch ſcandalous Things, and defile thoſe holy Walls with the moſt unbecoming Scurrilities. That he thought it would be very uſeful, that whilſt the Cardinals were attending him upon the Affairs of the univerſal Church, ſome learned Man ſhould publickly interpret certain Places of the ſacred Scripture. *Honorius* was pleaſed with the Motion, and appointed *Dominick* himſelf to the Office, who had adviſed it. So that *Dominick* himſelf was the firſt Maſter of the holy Palace, and it was appointed that ſome Body ſhould be always choſen to that Office out of the Predicant Order, and called Maſter of the ſacred Palace; and he hath theſe Prerogatives. *Firſt*, That he always dwells in the very Apoſtolick Palace, with his Attendance and Houſhold, and hath a Salary for his Support aſſigned him by the Popes. *Secondly*, He ſits in the Pope's Chapel near his Holineſs's Feet, and preceeds all the Divines and Maſters in Place, Advice and Reſolution. *Thirdly*, Without his Licence no Book can be printed at *Rome*; nor any Oration or Sermon pronounced before the Pope, without his Reviſing and Approbation. *Fourthly*, In all Conferences and Diſputations, his Definition, Reſolution and Sentence prevails, and no one can reply after him. *Laſtly*, He is always preſent in the Congregation of the moſt holy Inquiſition, with the Pope and Cardinals. He hath alſo the Title of the moſt Reverend, and is the firſt of the Predicant Order, after the Maſter General; and to conclude, he is choſen into the Office by the Election and Nomination of the Pope, and not by Vote.

Des Loix ante Spec. Inq. c.2,3.

Theſe ſupreme Inquiſitors have alſo an Advocate Fiſcal, ſeveral Counſellors, Prelates and Regulars, *viz.* the General of the *Dominican* Order, and the Aſſiſtant of the Commiſſary of the holy Office; as alſo one of the Religious of the *Franciſcan* Order. They have alſo ſeveral Qualificator Divines, who qualify Propoſitions in any Caſes that occur.] Whatever the Majority of the Cardinals decree, *Pius* IV. by a Conſtitution beginning, *Cum nos per noſtrum*, *&c.* ordered ſhould be looked on as the Decree of the whole Congregation; yea, that what the major Part of the Inquiſitors preſent ſhould appoint, ſhould be eſteemed as done by all, though ſome were abſent; that by the abſent Cardinals were to be underſtood not ſuch as were abſent from *Rome*, becauſe it might be very difficult to know this, but ſuch Cardinals as were abſent from this Congregation.

§. 14. Theſe ſupreme Inquiſitors meet twice a Week, *viz.* on *Wedneſdays* formerly in the Houſe of the oldeſt Cardinal ſupreme Inquiſitor, but now in

St.

St. *Mary*'s Church, *supra Minervam*, except the Pope commands otherwise; and on *Thursdays* in the Presence of the Pope. These Congregations are held every Week, excepting only the holy Week, which preceeds *Easter*. [However *John de Loix* relates, that there are held three Congregations of the holy Office every Week. *Speculum Inq. Bizant p 92.*

The first is on *Monday*, in the House of the holy Office, in which the Commissary General of the Inquisition, who is always a Predicant, and his Attendants dwell. Here are present the Counsellors of the holy Inquisition, the Fiscal, and other Officials, where the Processes, Votes and Sentences of all of them are reported and registred. The Master General of the Predicants takes here the first Place, the next the Master of the holy Palace, who is always a *Dominican*, out of Respect to St. *Dominick*, the Author and first Master of this Office; then two or three Layers, next the Vicar General of the Predicants in the Absence of the General, next the Commissary General of the holy Office, who is always a Predicant; next the Assessor of the holy Office; next the Procurator General of the collegiate Friars Minors; next the Provincial Inquisitors, when they are at *Rome*; next the Assistant of the Commissary General; next the Abbreviator of the Processes; next the Fiscal. We must remark here, that the Master General of the Predicants, and the Master of the sacred Palace, are also Counsellors to the Inquisition, for this Reason, because they are promoted to their several Offices.

The second Congregation is held on *Wednesday*, when the Cardinals meet in the House of the oldest, or the Dean of the Congregation, who have decisive Votes; although regularly they confirm what hath been determined on *Mondays* by the Counsellors and Commissary.

The third Congregation is always held on *Thursday* in the Presence of the Pope, nor is it ever omitted, except on *Thursday* in the Festival Week of the holy Sacrament, and sometimes in the Festival of *Corpus Christi*. In this Congregation his Holiness decides or confirms the Votes of the Counsellors and Cardinals. The Cardinals only sit, all others standing. The Pope makes a Prayer when the Congregation comes in, as the oldest Cardinal doth on *Wednesdays*, and the first Counsellor on *Mondays*. The Provincial Inquisitors, who support their Authority, transmit by Letter their Difficulties to these Cardinals.]

These Things, says *Paramus*, *l.* 2. *t.* 2. *c.* 1. *n.* 13. were not thus ordered in the Beginning. For at the first the other Cardinals, the Pope's Vicar, and the Master of the sacred Palace, were joined with Cardinal *Caraffa*, and managed the Affairs of the Inquisition. But afterwards when *Caraffa* was elected Pope on *May*, Cal. 5. 1556. the aforesaid Congregations were held on certain Days in his Presence; which Custom continued in the Reign of *Pius* V. *Gregory* XIII. and *Sixtus* V. but was disused in the Time of *Pius* IV. who being taken up with Affairs of very great Consequence, could not be present with that Congregation.

In the mean while, as the Popes were conferring all this Authority on the Inquisition, and the supreme Council of the Inquisition by their Bulls, several Books were published at *Rome* for the Instruction of the Inquisitors. *An.* 1584.

there was printed at *Rome the Formulary of the Inquisition*, and the same Year, *the Light of the Inquisition*, by Friar *Bernard* of *Como*, with Annotations, by *Francis Pegna*. In the Year following came out *the Directory of the Inquisitors*, by *Nicholas Eymerick* of the Friars Predicants, Inquisitor General of *Aragon*, with the Commentaries of *Pegna*. To this were subjoined the Bulls and Rescripts of the Popes to the Inquisitors and others concerning Matters of Faith, by the Command of the Cardinals Inquisitors General throughout the whole Christian World.

CHAP. XXX.

Of the INQUISITION *in* Spain *against* HERETICKS.

THE Tribunal of the Inquisition in *Spain*, at first erected to discover *Jews* and *Moors*, now began to proceed against Hereticks, and exercised the same Cruelty against these, as they had hitherto against the others. *Charles* V. King of *Spain*, who with great Difficulty had brought the Inquisition into the *Netherlands* against the *Lutherans* and *Reformed*, recommended it to his Son *Philip* in his Will. We have the Clause of the Will given us by *Cæsar Carena*, from *Lewis Paramus*, in his Treatise of the Office of the most holy Inquisition, *Prælud.* §. 62. in which the Emperor thus speaks: *Out of Regard to my Duty to Almighty God, and from my great Affection to the most serene Prince* Philip II. *my dearest Son, and from the strong and earnest Desire I have, that he may be safe under the Protection of Virtue, rather than the Greatness of his Riches, I charge him with the greatest Affection of Soul, that he take especial Care of all Things relating to the Honour and Glory of God, as becomes the most Catholick King, and a Prince zealous for the divine Commands; and that he be always obedient to the Commands of our holy Mother the Church. And, amongst other Things, this I principally and most ardently recommend to him, highly to honour and constantly support the Office of the holy Inquisition, as constituted by God against heretical Pravity, with its Ministers and Officials, because by this single Remedy the most grievous Offences against God can be remedied. Also I command him, that he would be careful to preserve to all Churches and ecclesiastical Persons their Immunities.* And again in his Codicil to his Will he thus enjoins his Son. *I ardently desire, and with the greatest possible Earnestness beseech him, and command him by his Regards to me his most affectionate Father, that in this Matter, in which the Welfare of all* Spain *is concerned, he be most zealously careful, to punish all infected with Heresy with the Severity due to their Crimes, and that to this Intent, he confer the greatest Honours on the Office of the holy Inquisition, by the Care of which the Catholick Faith will be encreased in his Kingdoms, and the Christian Religion preserved.*

De Bel. Bel. Dec. 1. *l.* 3.

Philip gave full Proof of his Zeal to execute his Father's Commands. For as *Famianus Strada* testifies of him, when he was requested by many to grant Liberty

Liberty of Religion in the *Low Countries*, he prostrated himself before a Crucifix, and uttered these Words: *I beseech the Divine Majesty, that I may always continue in this Mind; that I may never suffer my self to be, or to be called the Lord of those any where, who deny Thee the Lord.* Nor is this any Wonder: For the Popish Divines endeavour'd to persuade the King of *Spain*, that the Inquisition was the only Security of their Kingdom. Thus *Leonardus Vellius*, a Divine of the Jesuits College at *Cremona*, testifies in his Letter to *Cæsar Carena*, prefixed to his Treatise of the Office of the most holy Inquisition, where he says: *Since the Kings of* Spain *came to that Government, which now almost extends over the World, we read of no Sect professing it self an Enemy to the Pope, and the Catholick Religion, which did not at the same Time declare War against them. So that the Catholick Kings, and the Catholick Religion, have one common Interest and Cause. And if Pope* Paul V. *used to acknowledge, that by Means of the Inquisition, the Pontiffs preserved their Triple Crown; I doubt not but that the wisest Kings have been taught by long Experience, that the Hereticks are dangerous Enemies to the* Austrian *Power, and are abundantly persuaded, that their Sceptre and Kingdom can only be supported by the Ministers of that sacred Office.* No one can wonder, that under this Persuasion the *Spanish* Kings have been violent Promoters of the Inquisition; and that they have inflicted the most cruel Punishments upon the miserable Hereticks. *Philip* II. not only in the *Low Countries*, *Hist. Con.* but also in *Spain*, shew'd himself the Patron of it; and that the most outra- *Trid. l.* 5. gious Cruelty was acceptable to him. He gave some horrid Specimens of it *p.* 486. in the Year 1559. in two Cities of *Spain*, when he came thither from the *Low Countries*: "Immediately on his Arrival, as *Thuanus* relates, he began to "chastise the Sectaries. And whereas before this, one or more, just as it "happen'd, were deliver'd to the Executioner, after Condemnation for Heresy, all that were condemned throughout the whole Kingdom, were kept "against his coming, and carried together to *Seville*, and *Valladolid*, where "they were brought forth in publick Pomp to their Punishment. The first "Act of Faith was at *Seville*, the 8th of the Calends of *October*; in which "*John Pontius* of *Leon*, Son of *Rhoderick Pontius*, Earl of *Villalon*, was led "before the others, as in Triumph, and burn'd for an obstinate heretical "*Lutheran*. *John Consalvus*, a Preacher, as he had been his Companion in "Life, was forced to bear him Company in his Death; after whom follow"ed *Isabella Vænia*, *Maria Viroesia*, *Cornelia*, and *Boborquia*; a Spectacle full "of Pity and Indignation, which was encreas'd, because *Boborquia*, the "youngest of all of them, being scarce twenty, suffer'd Death with the "greatest Constancy. And because the heretical Assemblies had pray'd in "the House of *Vænia*, it was concluded in her Sentence, and order'd to be "levelled with the Ground. After these came forth *Ferdinand a Fano Johannis*, and *Julian Ferdinand*, commonly called the *Little*, from his small Sta"ture, and *John* of *Leon*, who had been a Shoemaker at *Mexico* in *New* "*Spain*, and was afterwards admitted into the College of St. *Isadore*, in which "his Companions studied, as they boasted, the purer Doctrine privately. "Their Number was encreas'd by *Frances Chavesia*, a Nun of the Convent

"of

" of St. *Elizabeth*, who had been instructed by *John Ægidius*, a Preacher at *Se-*
" *ville*, and suffer'd Death with great Constancy. From the same School came
" out *Christopher Losada*, a Physician, and *Christopher Arellianus*, a Monk of St.
" *Isidore*, and *Garsias Arias*, who first kindled those Sparks of the same Religion
" amongst the Friars of St. *Isidore*, by his constant Admonitions and Sermons, by
" which the great Pile was afterwards set on Fire, and the Convent it self, and
" good Part of that most opulent City was almost consumed. He was a Man of
" uncommon Learning, but of an inconstant wavering Temper; and being ex-
" ceeding subtle in disputing, he refuted the very Doctrines he had persuaded
" his Followers to receive, tho' he brought them into Danger on that Account
" from the Inquisitors. Having by these Arts exposed many, whom he had
" deceived, to evident Hazard, and render'd himself guilty of the detestible
" Crime of breach of Faith; he was admonished by *John Ægidius*, *Constantine*
" *Pontius*, and *Varquius*, that he had not dealt sincerely with his Friends, and
" those who were in the same Sentiments with himself; to which he replied,
" That he foresaw, that in a little Time, they would be forc'd to behold the
" Bulls brought forth for a lofty Spectacle; meaning thereby the Theatre of
" the Inquisitors. *Constantine* answer'd, You, if it please God, shall not behold
" the Games from on high, but be your self amongst the Combatants. Nor
" was *Constantine* deceived in his Prediction. For afterwards *Arias* was called
" on; and whether Age had made him bolder, or whether by a suddain Al-
" teration his Timorousness changed into Courage, he severely rebuked the
" Assessors of the Inquisitory Tribunal, affirming they were more fit for the
" vile Office of Mule Keepers, than impudently to take upon themselves to
" judge concerning the Faith, which they were scandalously ignorant of. He
" farther declared, That he bitterly repented, that he had knowingly and wil-
" lingly opposed, in their Presence, that Truth he now maintained, against
" the pious Defenders of it, and that from his Soul he should repent of it whilst
" he liv'd. So at last being led in Triumph, he was burn'd alive, and con-
" firmed *Constantine*'s Prophecy. There remained *Ægidius* and *Constantine*, who
" closed the Scene, but Death prevented their being alive at the Shew. *Ægidius*
" having been designed by the Emperor, *Philip*'s Father, for Bishop of *Drossen*,
" upon the Fame of his Piety and Learning, being summoned, publickly re-
" canted his Error, wrought on either by Craft, or the Persuasion of *Sotus*,
" a *Dominican*; and hereupon was suspended for a while from preaching, and
" the sacred Office, and died some Time before this Act. The Inquisitors
" thought he had been too gently dealt with, and therefore proceeded against
" his Body, and condemned him dead to Death, and placed his Effigies in
" Straw on high for a Spectacle. *Constantine*, who had been a long while the
" Emperor's Confessor, and had always accompanied him in his Retirement,
" after his Abdication from his Empire and Kingdoms, and was present with
" him at his Death, was brought before this Tribunal, and died a little before
" the Act, in a nasty Prison. But that the Theatre might not want him, his
" Effigies was carried about in a preaching Posture. And thus this Shew,
" terrible in it self, which drew Tears from most who were present; when

 " these

"these Images were brought on the Scene, excited Laughter in many, and "at length Indignation. They proceeded with the same Severity the following *October*, at *Valladolid*, against others condemned for the same Crime, "where King *Philip* himself being present, twenty eight of the chief Nobility of the Country were tied to Stakes and burn'd." *Bartholomew Caranza*, Archbishop of *Toledo*, was also accused; who for his Learning, Probity of Life, and most holy Conversation, was highly worthy of that Dignity, and cast into Prison, and stripp'd of all his large Revenues. His Cause was brought before *Pius* V. at *Rome*, and *Gregory* XIII. pronounced Sentence in it. Bzovius, *a.* 1559. § 85.

Philip, not content to exercise his Cruelty by Land, established the Inquisition also in the Ships. For in the Year 1571. a large Fleet was drawn together under the Command of *John* of *Austria*, and manned with Soldiers listed out of various Nations. King *Philip*, to prevent any Corruption of the Faith, by such a Mixture of various Nations and Religions, after having consulted Pope *Pius* V. deputed one of the Inquisitors of *Spain*, fixed on by the Inquisitor General, to discharge the Office of Inquisitor; giving him Power to preside in all Tribunals, and to celebrate Acts of Faith, in all Places and Cities they sailed to. This Erection of the Inquisition by Sea, *Pius* V. confirmed by a Bull sent to the General Inquisitor of *Spain*, beginning, Our late most dear Son in Christ. *Jerome Manrique* exercised the Jurisdiction granted him, and held a publick Act of Faith in the City of *Messina*, in which many underwent divers Punishments. Param. *l.* 2. *tit.* 2. *cap.* 14.

He also established it beyond *Europe*, not only in the *Canary* Islands, but in the new World of *America*; constituting two Tribunals of it, one in the City of *Lima*, in the Province of *Peru*; the other in the Province and City of *Mexico*. The Inquisition at *Mexico* was erected in the Year 1571. and in a short Space gave large Proofs of its Cruelty. *Paramus* relates, that in the Year 1574. the third after its Erection, the first Act of Faith was celebrated with a new and admirable Pomp, in the Marquisses Market Place, where they built a large Theatre, which covered almost the whole *Area* of the Market Place, and was close to the great Church, where were present, the Viceroy, the Senate, the Chapter, and the Religious. The Viceroy, the Senate, and a vast Number of others, went with a large Guard, in solemn Procession, to the Market Place, where were about eighty Penitents; and the Act lasted from six in the Morning to five in the Evening. Two Hereticks, one an *Englishman*, the other a *Frenchman*, were released. Some for Judaising, some for Polygamy, and others for Sorceries, were reconciled. The Solemnity of this Act was such, that they who had seen that stately one at *Valladolid*, held in the Year 1559. declared, That this was nothing inferior to it in Majesty, excepting only that they wanted those royal Personages here, which were present there. From this Time they celebrated yearly solemn Acts of the Faith, where they brought *Portuguese Jews*, Persons guilty of incestuous and wicked Marriages, and many convicted of Sorcery and Witchcraft. *cap.* 21.

CHAP. XXXI.

Of the INQUISITION *in the* Low Countries.

THE Inquisition was introduced into the *Low Countries* in the Year 1522: and *Francis Hulstus*, and *Nicolas Egmondanus*, a *Carmelite* Friar, were appointed Inquisitors, of whom *Erasmus* thus writes to *John Carondilet*, Archbishop of *Palermo*, in the Year 1524. *And now the Sword is given to two violent Haters of good Learning*, Hulstus, *and* Egmondanus, *&c. If they have a Spite against any Man, they throw him into Prison; here the Matter is transacted between a few, and the Innocent suffers barbarous Usage, that they may not lose any Thing of their Authority; and when they find they have done entirely wrong, they cry out, We must take Care of the Faith.* In the same Year he writes to *Bilibaldus Pirkheimerus*. *There* (viz. in the Country of *Erasmus*) *reigns* Egmondanus, *a furious Person, armed with the Sword, who hates me twice more than he doth* Luther. *His Collegue is* Francis Hulst, *a great Enemy of Learning. They first throw Men into Prison, and then seek out for Crimes to accuse them of. These Things the Emperor is ignorant of, though it would be worth his while to know them.* A great many were miserably used, and barbarously slain through their Cruelty.

Epist. lib. 21.

Epist. lib. 30.

But in the Year 1549. *Charles*, created Emperor, endeavour'd to bring the Inquisition more openly into the *Netherlands*, after the Manner of that in *Spain*, by an Edict against Heresy and Hereticks; in which he commands all who had the Administration of Justice, and their Officials, when required by the Inquisitors, and at the joint Request of the Ordinaries or Bishops, to proceed against any one in the Affair of Heresy, to give them their utmost Assistance and Countenance, and to help them in the Execution of their Office, and in apprehending and detaining those, whom they should discover to be infected with heretical Pravity, according to the Instructions which the aforesaid Inquisitors had received from him. In the Conclusion 'tis added, that they should proceed against Transgressors by Execution, whatever Privileges had been before granted contrary to this Decree. This Edict occasioned great Disturbances, especially at *Antwerp*, where when it was known for certain, and that is was soon to be publish'd, a great Number of Merchants determin'd to go into other Places. As this would occasion great Loss to the City, and ruin their Trade, the Magistrates called together the chief Merchants, and Citizens, and enquired what Loss the City had already sustained through Fear of the Inquisition, and what farther Damage it might suffer if the Inquisition should be actually introduced. This was fairly drawn out in Writing; and the Magistrates presented it to Queen *Mary*, Sister of *Charles* V. then Governess of the *Netherlands*, and largely shewed, by many Arguments taken from the Edict, the Instructions of the Inquisitors, and the Privileges of *Brabant*, how many Evils threatned the City and the whole Country;

Wesenbec. *de stat. rel. in* Belg. *p.* 20.

Country; and besought her that she would intercede with the Emperor, her Brother, that so rich and flourishing a City might not be ruin'd by the Inquisition, from which, as well as from all Ecclesiastical Jurisdiction, it had hitherto been free, and ought ever to remain so according to their Privileges. The several Orders of *Brabant* join'd themselves to the *Antwerpians*, and by their Reasons and Prayers, the Queen was so moved, that she went to her Brother at *Augsburg*, and obtain'd another Edict, allowing the Ecclesiastical Judges a Power of demanding some Person from the supreme Courts of the Emperor, to be join'd with them, when they proceeded against any one for the Crime of Heresy. As to the rest of the former Decree, there was no Abatement. It was received with great Difficulty and Reluctance, and published at *Antwerp* with this Protestation, That this Edict should derogate nothing from their Privileges and Statutes.

But notwithstanding this Declaration of the Magistrates, the Inhabitants could not be easy, such was their Dread of the Cruelty of the Inquisitors; especially because they saw, that those who were privately commissioned by the Pope and the Emperor to be Inquisitors, acted as such themselves, as well as by their Commissaries, in several Provinces and Cities. For several were condemn'd for Heresy by them, in many Cities, and either beheaded, hanged, or burn'd, or tied up in Sacks and drowned. The States, in vain, humbly besought the King to be delivered from so grievous a Bondage. He was deaf to all their Prayers, and determined to lose his Dominions, rather than suffer them to be infected with Heresy. This occasioned still greater Disturbances; and as the Cruelty of the Inquisitors every Day encreased, they broke out at length into an open Revolt. The common People threw down the Images from the Temples, and committed other Violences; on which the King, that he might have some Shew of Justice to conquer the *Low Countries*, and make Laws according to his absolute Will, demanded the Judgment of the supreme Office of the Inquisition in *Spain*, concerning these Revolters. After they had seen the several Informations and Proofs transmitted to them by the inferior Inquisitors; they declared all the Inhabitants of the *Low Countries*, those only excepted whose Names were sent to them, Hereticks and Favourers of Hereticks, and guilty of High Treason, either for what they had done, or omitted to do. The King having received this Answer, sent the Duke of *Alva*, with a great Army into the *Netherlands*; who, as he was a cruel and bloody Man, enter'd the Country with his Forces, and meeting no Resistance, acted every where with the most outragious Fury. One might have seen throughout all their Cities, old Men and young, Women and Girls, without any Distinction of Dignity, Age or Sex, suffering by the Sword, Gallows, Fire, and other Punishments; till at length the miserable Nation, warmed with the Remembrance of their former Freedom, took Courage and Arms; and after they had recovered their Liberty, drove out the Inquisition from the whole Country.

FINIS LIBRI PRIMI.

THE HISTORY OF THE INQUISITION.

BOOK II.

CHAP. I.

Of the MINISTERS *of the* INQUISITION *in General.*

THUS far we have described the Original of the Inquisition, and its Propagation into several Kingdoms and Countries. There are three Things yet remaining to be treated of. *First*, The Ministers of the Inquisition, as well the Inquisitors themselves, as others who serve them in the holy Office, together with their Duties and Offices. *Secondly*, The Crimes subject to the Cognizance of this Tribunal; by what ways Guilt may be contracted; and what Punishments are annexed to the several Offences. *Thirdly*, What is the Manner of Process observed before the Tribunal of the Inquisition. These shall be dispatch'd in three several Books.

As to the first of these we need not repeat what hath been already said in the former Book concerning the Cardinals, Inquisitors General in all Christian Countries, and of the supreme Council of the Inquisition in the Kingdoms of *Spain* and *Portugal*. I shall speak only of the Inquisitors and those who serve them. For although the Erection of those Councils hath introduced no small Change in the Office of the Inquisition, yet it respects rather the Manner of Process, than the Officers of the Inquisition; which therefore I shall afterwards endeavour to explain according to the best Assistance I can gather from those Authors who have written of the Affair.

The Offices in the *Spanish* and *Portugal* Inquisition are somewhat different from what they were anciently, and from those of the *Italian* Inquisition to

this Day. And because these two Inquisitions are now the principal and most famous ones, wherein they differ from other Inquisitions, I shall carefully describe, and give an Account of the several Offices in them, as they are delivered by the *Spanish* Doctors.

Simancas gives us this Account of the Ministers of the *Spanish* Inquisition. "In every Province of *Spain* there ought to be two or three Inquisitors, one "Judge of the forfeited Effects, one Executor, three Notaries, two for "Secrecy, and the third for Sequestrations, one Keeper of the Prison, one "Messenger, one Door-keper, and one Physician. Besides these, Assessors, "skilful Counsellors, Familiars and others are necessary." In *Italy* they call them Cross-bearers, of pretty near the same Office with the *Spanish* Familiars. Besides these, there is a Promoter Fiscal, a Receiver of the forfeited Effects; and finally, Visitors of the Inquisitors. Of these in their Order.

De Cathol. Inst. tit. 41. §. 5.

CHAP. II.

Of the INQUISITORS.

IN the Church of *Rome* there are two Sorts of Judges in the Affair of the Faith: The Ordinaries, such as the Pope, and Bishops of Places, who when ordained or consecrated, are believ'd to receive, by divine Right, Power and Jurisdiction over Hereticks: And Delegates, to whom the Office of judging Hereticks is particularly given by the Pope, who are called Inquisitors by the Laws. Apostolick Inquisitors are therefore Judges delegated by the Pope, who is believed to be the supreme Judge of the Faith, who grants them full Jurisdiction against all Hereticks and Apostates. And they are delegated for all Causes.

Eymeric. *Direct. p. 3. q. 1.*

No one can be thus deputed to this Office who is not forty Years old. *We ordain by the Approbation of this holy Council, that no Person under forty Years old, shall from this Time be admitted to the Office of the Inquisition.* But because Knowledge and Prudence sometimes supply the Defect of Age, 'tis determined by a general Decree of the Pope, that a Person of thirty Years old may be Apostolick Inquisitor in *Spain* and *Portugal*. Even in this Age the Congregation of Cardinals created *Baptist a Martinengo*, Inquisitor at *Cremona*, who was very little above thirty. 'Tis also the Custom to chuse Inquisitors for Cities, not out of the Citizens, but from Foreigners.

Clement, *cap. Nolentes. de haret.*

Carena, *p. 1. t. 5. n. 18. q. 3.*

These Inquisitors receive Power to execute this Office from the Pope, who sometimes immediately appoints them by Word of Mouth, sometimes by his Apostolick Letters. Thus in the Letters of *Clement*, beginning, *Licet ex omnibus mundi partibus*, written to the Inquisitors; we read, *That the Office of the Inquisition against Hereticks may be more effectually discharged, we command your*

 Discre-

Discretion by our Apostolick Writings, enjoining you, by the Remission of your Sins, to execute the aforesaid Office, which we commit to you by our Apostolick Authority, in the Love of God, and without any Fears of Men, putting on the Spirit of Strength from on high. Sometimes he commits it to a Cardinal or Legate.

Heretofore the Pope ordinarily granted it to the Master, and Provincial Priors of the Predicants; to the General and Provincials of the Minorites, that they should take Care to provide Inquisitors of the Friars of their Order, for the Places assigned to them, as we find it in their Privileges, and as appears from many Rescripts of the Popes, particularly *Innocent*, *Clement* and *Alexander* IV. which begin, *Licet ex omnibus. We firmly charge and command your Discretion, by these Apostolick Writings, that with the Advice of some discreet Friars of your Order, you chuse eight of the said Order, fit for your Province, to perform this Work of the Lord; and that you strictly charge them, in Virtue of their holy Obedience, by the Apostolick Authority, that they execute the Office of the Inquisition,* &c. And they give this Reason, because they are presumed to have greater Knowledge of their own Friars, and can therefore more easily judge who are the most proper to be advanced to so high an Office. But at this Time the Apostolick Inquisitors throughout *Italy* are not chosen by the Prelates of the aforesaid Orders, but either immediately by the Pope, or by a Brief, as the Inquisior at *Milan* and *Genoua* are chosen; or by Letters Patents from the Cardinals, Inquisitors General over the whole Christian World. In *Spain* the President of the Inquisition appoints the Inquisitors.

§ 9. And as the Power of the Inquisitor depends on the Pope, so no one can be removed from this Office, but by the Pope alone, and those to whom his Holiness commits this Power. Formerly he granted the Power to the General and Provincial Masters of the Orders, as appears from these Letters of *Innocent*.

Bzovius, *a.* 1245. §. 12. *n.* 10.

Innocent, *Bishop, Servant of the Servants of God, to our venerable Brother* John, *Bishop, formerly Master of* Bosino, *and to our beloved Sons the Friars of the Order of Predicants, Health and Apostolick Benediction. Being continually refreshed with the sweet Savour of your Order, we deservedly bear an espesial Favour towards it, with full Desire wishing its Advancement, and endeavouring with our most diligent Care to procure for it Peace and other Blessings, by which it may obtain through the Lord the desired Encrease. For this Reason we have yielded to your Request, that you, Brother* John, *Bishop and Master, and your Successors, the Friars of your Order, who are or shall be deputed by the Apostolick See to preach the Cross, or to inquire against heretical Pravity, or any other such Affairs, may lawfully and freely set aside, or recall, quite remove and enjoin them to forbear, and substitute others in their Room, as shall seem expedient to you, and exercise the Ecclesiastical Censure against all Contraveners. And by Authority of these present, we grant, that every Provincial Prior of the same Order may act in like Manner in his Province, as to the Friars of the said Order, to whom this Affair may happen to be committed by the same See. Dated at* Lyons, June *Id.* 5. *and third of our Pontificate.*

But now the Cardinals, Inquisitors General in Christendom, remove and change, and translate them from one Place to another, as they think convenient.

The

The Popes were greatly desirous that this Office should be free from all Obstruction; and therefore, as one very obvious Difficulty might arise from the Prelates of the several Religions, if such as were created regular Inquisitors should be forced to obey their Prelates in their Office, therefore the Popes exempted them as to this Affair from their Jurisdiction, as appears from a Bull of *Clement* IV. beginning *Catholicæ Fidei. Although the Master and Minister Generals, and other Priors and Provincials, and the Keepers or Guardians of any Places of your Orders, under pretence of any Privileges or Indulgences of the same See, granted, or hereafter to be granted to the said Orders, shall enjoin, or any ways command you, or any one or more of you, to supersede this Affair for a Time, or as to any certain Articles or Persons; we strictly prohibit all and singular of you, by our Apostolick Authority, from presuming to obey, or in any manner to regard them in this Matter. For by the Tenor of these present, we recall all such Privileges and Indulgences relating to this Article, and decree that all Sentences of Excommunication, Interdict and Suspension, that may be pronounced against you, or any of you upon this Occasion, shall be altogether null and void.* So that in the Office of the Inquisition they are by no Means subject to their Superiors, but only to the Pope; insomuch that if an Inquisitor should unjustly prosecute any one for Heresy, the Person apprehended can't appeal to the Superior of that Religion, but only to the Pope. Nor is the Inquisitor in any manner bound to obey the Superior of his Religion, interrogating him on any Affairs relating to his Office, but the Pope alone, whom he immediately represents. Eymer. direct. part 3. qu. 11. Q. 12.

And least the Superiors of Orders should claim to themselves any Power over the Inquisitors, by reason of their Inquisitorial Office, *Urban* IV. wrote to the Inquisitors in Privilege of the Catholick Faith. *For if the aforesaid See hath sometimes committed by their Letters, under a certain Form, to some Prelates of your Order, a Power to chuse certain Friars of their Orders to exercise the Office of the Inquisition against heretical Pravity, and to remove and substitute others in their Room, as they should think convenient; as this was granted them only, because it was presumed that they had a fuller Knowledge of the Fitness of such Friars, so hereby no Faculty, Jurisdiction or Power is given them over any such Affair committed, and to be committed to you immediately by the aforesaid See.*

This is in Force only when the Inquisitors are of any particular Order, whither Predicants or Friars Minor. It is now of no Use in *Spain*; for, as *Simancas* tells us, 'tis found by Experience, that 'tis much more useful and proper, that the Inquisitors should be Layers, and not Divines. Tit. 41. §. 3.

In like Manner the Popes ordered, that in Favour of the Faith the Office of the Inquisitors should be perpetual, so that it was not to cease at the Death of the Pope who conferred it, although the Jurisdiction delegated to them might not have been made use of. Thus 'tis ordained by *Clement* IV. and is to be found in the *Sext. Decret. Least any Persons should be in doubt, whither the Office of the Inquisition of heretical Pravity, committed by the Apostolick See under certain Limitations to your Care, expires at the Death of the Pope who granted it, we by this present Edict declare, that the said Office shall last, in Favour of the Faith, after the Decease of him who conferred it, not only*

with respect to Affairs begun during the Life of the Granter, but as to those which are untouched, and not begun, and what is more, even as to such as may not arise till afterwards. For this Reason the Office of particular Inquisitors continues in *Spain*, after the Death of the Inquisitor General, although they should be delegated by him; and the rather, because they are chosen under this Form: *We constitute you our Vicegerents till we shall specially recall the Commission.* In which Case the Jurisdiction of the delegated Judge continues after the Demise of him who deputed him. Cap. *Si delegatus*, de Offic. deleg. *l.* 6.

Simanc. *de Cathol. Instit. tit.* 34. §. 14.

This Office is accounted of so great Dignity in the Church of *Rome*, that the Title of *most Reverend* is given to the Inquisitors equally as to Bishops, and because they are delegated by the Pope to their Jurisdiction, they are advanced to the principal Part of the Episcopal Office, and are therefore thought to deserve the Honour of an equal Title of Dignity with the Bishops themselves. From whence also they infer, that the Inquisitors ought to take place of the Vicar General of the Bishop, not only in Causes of Heresy, but in other Acts and Causes that do not belong to the holy Office.

Caren. *p.* 1. *t.* 5. *n.* 57.

In *Spain* oftentimes several Inquisitors are deputed together, and whenever this happens, they take Care not to create two who are akin, in the same Province, nor suffer them to have any Official for their Servant, or of their Houshold.

Simanc. *tit.* 34. §. 21.

§. 15. "If any Thing hard or difficult happens in any Province, the Inquisitors "must refer it to the Council.

§. 16. "The Inquisitors sit on their Tribunal six Hours every Day, and if any "Thing comes before them that belongs to the Inquisitors of another Pro- "vince, they refer it to them, and the Messengers are to be paid the Ex- "pences of the Journey by the Inquisitors to whom they are sent. 4 *Instruct.* "*Tolet. cap.* 28. & 3 *Instruct. Valdolit. cap.* 9.

§. 17. "Farther, the Inquisitors are diligently to read those Books in which the "Testimonies against Hereticks are contained, that from hence they may "know the Names and Offences of the guilty Persons, and understand di- "stinctly their several Crimes. And of this Matter the Visitors are particu- "larly to enquire, and report it to the Inquisitor General, if the Inquisitors "should happen to be negligent herein. 5 *Instruct. Hispal. cap.* 3.

§. 18. "The Inquisitors must take special Care to agree with and be friendly to "each other. If any Difference should arise against them, they must con- "ceal it, and refer it to the Inquisitor General, that after he understands the "Matter he may compromise it, and judge between them. 1 *Instruct. Hispal.* "*cap.* 26."

The Office of the Inquisition ceases upon the Inquisitors Advancement to any Dignity. If the Inquisitor, for Instance, is made a Bishop, these Dignities are incompatible, because both require personal Residence, and therefore the Office of the Inquisitor ceases.

Carena, *p.* 1. *t.* 5. *n.* 102.

[If the Inquisitors are negligent or remiss in their Office, the Synod of *Sinigaglia*, held *An.* 1423. hath decreed, That they shall hereby incur the Penalty of Suspension from entring into the Church for the Space of four Years.

Richer. *Hist. Con. l.* 3. *c.* 1. § 1. *p.* 9.

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The same Synod commands, *That in Provincial or Synodical Councils, a proper Remedy shall be provided, besides the forementioned Penalty, against such negligent Persons, according to the Degree of such Fault or Negligence, all Privileges, Exemptions, Customs and Statutes whatsoever to the contrary notwithstanding.* But I am persuaded that few offend against this Decree, or incur the Penalty of Suspension by Negligence or Lenity; since all Compassion is banished from this Tribunal, and since all who are promoted to this Office of Inquisitor immediately divest themselves, I will not say of all Pity only, but even of Humanity it self.]

If the Inquisitors offend, by unjustly extorting Money, it was anciently provided, in *Clement. de hæret. cap. Nolentes.* that they should be punished by the Prelates of their Order. *Which said Prelates are bound to remove from their Offices such Inquisitors and Commissaries as are found guilty, and when removed, otherwise to punish and correct them according to their Desert.* But now as the Prelates of the several Orders neither appoint or remove Inquisitors, so neither do they punish them; but the Affair is referred to the Cardinals Inquisitors General in Christendom. In *Spain* the President of the Inquisition, whom they call Inquisitor Major, punishes the delinquent Inquisitors, which was expresly granted him by a Bull of *Leo* X. But however notwithstanding this, the Pope can, as often as he pleases, call, cite, and punish the Inquisitors of all Kingdoms at the Court of *Rome*; for he is the Judge of all, and the Inquisitors are delegated by him, and because it appertains to him to take Cognisance of their Causes, and punish their Offences. And if any others take Cognisance of these Affairs, they do it by a Power derived from the Pope, which he can resume as often as he thinks fit, and bring the whole Affair before himself.

Pegna, *in part.* 3. *Direct. Com.* 61.

When any Inquisitor is to be punished for his Offence, they take Care not to lessen Mens Opinion of the Dignity and Authority of the holy Office by his Condemnation or Punishment, which they say is more dangerous than to suffer an Offender to go unpunish'd; unless it be such an Offence as gives Scandal, and therefore must not be passed over with Impunity. And they alledge this Reason; That the Apostolick Inquisitors are both dreaded and hated by many, and especially by wicked Men; and therefore if they should be easily or publickly punished, the foolish and mad People would soon be drawn by their Crimes to hate and dishonour the holy Office. So that when there is a Necessity to punish the Inquisitors, it must be done with Caution, to prevent greater Inconveniences.

However, from these Laws it is very plain, that the Tribunal of the Inquisition is not so very holy and blameless, as they would have them believe in *Spain* and *Portugal*; but the Inquisitors punish innocent Men sometimes very unjustly, throwing them into Prison, and treating them in a very barbarous and unworthy Manner. Of this we have a fresh Instance in the Inquisition at *Goa*, in relation to Father *Ephraim*, a *Capucine*, whom out of mere Hatred and Revenge they seized, by Craft and Subtlety, and carried away to *Goa*, and there shut him up in the Prison of the Inquisition. The

Tavern. *Travels. B.* 1. *C.* 15.

Story

Story is this: Father *Ephraim* having had an Invitation from some *English* Merchants, built a Church in the City of *Madrespatan*, which was near to the City of St. *Thomas*. To this Place several of the *Portuguese* came from St. *Thomas*'s, to have the Benefit of *Ephraim*'s Instruction. By this he incurred the Hatred of the *Portuguese*; and upon some Disturbance that was raised, Father *Ephraim* was called to St. *Thomas* to appease it, where he was seized by the Officers of the Inquisition, and carried to *Goa*, bound Hands and Feet, and at Night coming from on Board the Ship, hurried into the Prison of the Inquisition. All Men wondered that this *Capucine* should be brought Prisoner before the Tribunal of the Inquisition as an Heretick, who was known to be a Person of great Probity and Zeal for the *Roman* Religion. Many were concerned for his Delivery, and especially Friar *Zenon* of the same Order, who tried every Method to effect it. When the News of his Imprisonment came to *Europe*, Persons were very differently affected. His Brother the Lord *Chateau des Bois*, solicited the *Portugal* Ambassador at *Paris*, till he prevailed with him to send Letters to his *Portuguese* Majesty, to desire his peremptory Orders to the Inquisitors at *Goa*, to dismiss *Ephraim* from his Prison. The Pope also himself sent Letters to *Goa*, commanding him to be set free, under the Penalty of Excommunication. The King also of *Golconda*, who had a Friendship for him, because he had given him some Knowledge of the Mathematicks, commanded the City of St. *Thomas* to be besieged, and to be put to Fire and Sword, unless *Ephraim* was immediately restored to his Liberty. The Inquisitors not being able to surmount all these Difficulties, sent him Word that the Prison Gates were open, and that he might have his Liberty when he pleased. But he would not leave his Jail, till he was brought out by a solemn Procession of the Ecclesiasticks of *Goa*. And although there are many Instances of the like Injustice, yet they very seldom publickly punish'd the Injustice and Cruelty of the Inquisitors, least their Authority, which they would have always accounted sacred, should be contemned.

CHAP. III.

Of the VICARS *and* ASSISTANTS *of the* INQUISITION.

Eymer. 41. WHEN the Inquisition was first appointed and delegated, there were no Cardinals Inquisitors General over Christendom, whom they could consult by Letter, and from whom receive an Answer in Cases of Diffi-
43. culty, after their having first advised with the Pope. And therefore particular Inquisitors were often forced to go to *Rome*, during whose Absence the
Pegna, *in* Eymer. *p.* 436. Affairs of the Faith were at a stand. To prevent this Inconvenience, the Inquisitor may in such a Case appoint a Vicar General over the whole Province,

vince, with a Power of proceeding to the definitive Sentences of the Impenitent and Relapsed. *Urban* IV. in order to remove this Difficulty, *A.D.* 1263. created by a Rescript, beginning, *Cupientes*, the Cardinal of St. *Nicholas in carcere Tulliano*, Inquisitor General, or, as it were, Protector of the Inquisitors, whom particular Inquisitors might consult, either in Person, or by proposing their Doubts to him by Letters. But now all these Inconveniences are over, since the Appointment of the Cardinals Inquisitors General over Christendom, whom they may consult by Letters, and to whom all Princes are subject in this Affair. This is plain from the Bull of *Pius* V. published 1566. In *Spain* the Inquisitors of particular Cities consult the Inquisitor General of those Kingdoms, or President of the Inquisition; and he with those of other Provinces advises with the Cardinals Inquisitors General.

'Tis however now the constant daily Practice of all Inquisitors to have their Vicars General, who, in their Absence, may manage the Affairs of the Inquisition. These are ordinarily appointed by the Inquisitors themselves; for the Inquisitor hath Power of constituting his Vicar or Commissary, by the Bull of *Clement* VII. sent to *Paulus Bugitella*, which begins, *Cum sicut*, in which we read: *Moreover we decree that you may have Authority to appoint your Vicars or Commissaries, Persons whom you shall judge to be circumspect, fit, and proper, provided they are full thirty Years of Age.* *Qu.* 13.

This Power doth not extend only to the appointing one or two Vicars or Commissaries, but several, if the Diocese or Province be large, and contains several Cities. For as the Inquisitor cannot be personally present at all of them, 'tis necessary he should appoint Commissaries in them. He must create at least in every City one, a Man prudent and learned, an old Christian, pious, and fit for Business, a religious Person of his own, or some other Order, or a secular Clergyman, *viz.* one possessed of some Preferment in the principal Church of that City, or a Canonist, whom he verily believes will take Care of the Matters of the Faith diligently, and according to the Canonical Sanctions. Pegna, *Com.* 63.

This Vicar General may be constituted with such full Powers by the Inquisitor, as to be able to receive Denunciations, Informations or Accusations from and against any Persons whatsoever, and of proceeding, and of citing, arresting, and putting in Irons as well the Witnesses as the Guilty, of receiving their Confessions or Depositions, and of proving them, of examining and compelling to give Evidence, and of putting to the Question and Torture to force the Truth from them, jointly with the Lord Bishop or his Vicar; as also of imprisoning them by way of Punishment rather than Safety, of calling together and advising with skilful Men at his Pleasure; and in general of doing every Thing, which the Inquisitor himself, if present, could do. Only the Inquisitor usually reserves to himself the definitive Sentence of all Impenitents and Relapsed, although he may also commit even this to his Vicar. In the *Seville* Instruction, *A.D.* 1484. *cap.* 17. 'tis provided, *That the Inquisitors shall themselves receive and examine Witnesses, and not commit the Examination to a Notary, or any other Person; unless the Witness be so ill, as that he can't appear before the Inquisitor, and it be not reputable for the Inquisitor to go to the Wit-* Eymer. *p.* 3. 37. 38. Pegna, *p.* 434.

ness to receive his Deposition, or except he be otherwise hindred. In such a Case the Inquisitor may commit the Examination of the Witness to the ordinary Ecclesiastical Judge of the Place, or to some cautious and honest Person, who understands how to examine with the Notary, and who shall report the Manner in which the Witness P. 41. *gave his Deposition.* But the Power of pronouncing definitive Sentences is very seldom given to the Commissary or Vicar, without first consulting the Inquisitor, who in Decency is bound to defend the Processes of his Commissaries. He cannot however grant such Commissary a Power of substituting a Vicar for himself. Sometimes they appoint two Commissaries, who shall equally and jointly proceed against the Guilty.

The Inquisitor only can depose the Vicar thus appointed by himself, and 'tis not in the Power of the Prelates of the Religious.

Sometimes the Pope himself appoints the Commissary, so that there are two sorts of Commissaries, some appointed by the Inquisitor, others by the Pope. Their Power is unequal. The Commissary appointed by the Inquisitor, neither takes Place of the Ordinary, nor possesses all the other Privileges which the Inquisitor doth. Whereas he who is particularly appointed by the Papal Authority, is in all Things equal to the Inquisitor himself.

Caren. p. 1. t. 7. n. 15, 16. 'Tis a Question amongst the Doctors, Whither upon the Death of the Inquisitor, the Jurisdiction of the Vicar ceases. But though this was controverted heretofore, there seems to be no Doubt remaining about it now. For the Congregation of Cardinals Inquisitors General hath decreed, that the Vicars General of the Inquisitors shall be nominated or chosen by the Inquisitors, and then confirmed by their Congregation. Whilst this Decree is in Force, the Vicars have their Jurisdiction properly from the Congregation; and therefore as Acts derive their Validity from the Person confirming them, the Jurisdiction of the Vicars shall not expire upon the Death or Removal of the Inquisitors. And thus *Carena* tells us it was observed in the City *Pavia*, in which after the two Inquisitors that were dead, the Vicars General of the holy Office managed all the Affairs of the Inquisition.

P. 1. t. 11. n. 5, 7. As to what regards the Vicars appointed in the several Cities, which they call Foraneous Vicars, they have seldom any Thing else granted to them, but only the Management of an offensive Process, as to which they are often to inform the Inquisitor of the Transactions in reference to it. So that they can imprison no Person, unless the Affair be first communicated to the Inquisitor, or except there be a very great and unavoidable Necessity. For Instance, if the Matter relate to a formal Heretick, and there should be Danger in a Delay, that he might endeavour to escape by Flight.

Eymer. p. 3. qu. 20. If the Inquisitor needs an Assistant in his Office, the Priors of the Orders are commanded by a Bull of *Clement* IV. beginning, *Ne Catholicæ Fidei negotium*, that to remove all Difficulty, they shall take Care to assign to the several Friars chosen for Inquisitors, their several Assistants, *viz.* Friars of their Order, careful and discreet Persons, fit for the said Business, and who are worthy to be joined with those whom they are to assist. And as often as the Inquisitors shall desire it, let them provide others of the same Order besides those

those already provided. *Gregory* XI. by a Bull beginning, *Catholicæ Fidei negotium*, gives the Inquisitors free Power of going to the Court of *Rome*, and abiding there, and of taking an Assistant without the Licence of his Order, and of changing such an Assistant, and of taking another out of his Province, and of keeping him with him as often as he shall judge fit, any Prohibition of Prelates or Chapters to the contrary notwithstanding.

CHAP. IV.

Of ASSESSORS *and* COUNSELLORS *necessary to the Office of the* INQUISITION.

THE Inquisitors were originally religious Friars, skilful only in Divinity, but ignorant of the Laws. And therefore because they might be easily deceived in a judiciary Process, and so absolve such as should be condemned, and condemn such as should be absolved, they were commanded to call in skilful Persons, such as Divines, Canonists and Layers, to consult them, and if there was need to compel them to give their Advice in Virtue of their Obedience; as we find it, *cap. Ut commissi. §. Advocandi.* de hæret. *lib.* 6. *That you also call in as Occasion requires, any skilful Persons to assist you, and give you proper Advice in passing such Sentences, and enjoin them by Virtue of their Obedience, that in this Matter they humbly obey you.* And thus we often find it in the Book of the *Tholouse* Inquisition, in the Sentences pronounced: *We the aforesaid Bishop and Inquisitor, with the Advice and Counsel of many good Men skilful as well in the Canon as Civil Law, and of many prudent religious Persons*, &c. I do not find that their Number is precisely determined by any certain Law. *Carena* says, that in the Congregation at *Cremona*, there are regularly present, four Regular Divines, four Secular Clergymen, Canonists, and four Lay Counsellors; and because the Inquisitor there is always a Master in Divinity, they don't need so many other Qualificators, as the Inquisitors of *Spain* do, who are Layers.

Eymer. *p.* 3. *qu.* 77. Pegna, *Com.* 126.

P. 1. *tit.* 8. *n.* 12.

Ibid. n. 35.

'Tis to be wonder'd at, that the Office of making Inquisition against Hereticks, and of judging them, should be committed to Persons entirely ignorant of the Law. But if we consider the modern Inquisitors, and compare them with the more ancient ones, and judge of their Ignorance by what we find of the Ignorance of the other, it must be owned that they know nothing either of Law, or of Divinity, or of any Theological Points. The Author of the History of the Inquisition at *Goa*, was in doubt, whither the Baptism of the Breath * could be reconciled with those Words of our Lord, *John* iii. 5. *Except a Man be born again of the Water and the Spirit, he cannot enter into the Kingdom of Heaven.* The Inquisitor who examined him as to his Faith, was astonished at the citing of this Place, and asked where the Passage was

a. 22.

* *Baptismus Flaminis* is the Baptism of the Holy Ghost, founded on *Acts* i. 5. and, I suppose, so called from *Joh.* xx. 22. *He breathed on them, and saith unto them, Receive ye the Holy Ghost.*

to be found. * He was equally ignorant of the Canon of the Council of *Trent*, about the Worſhip of Images. So that he concludes, that the Ignorance of the Inquiſitors, in Matters of Faith, exceeds all Belief. Father *Ephraim* alſo affirmed, That nothing was ſo troubleſome to him in the Priſon of the Inquiſition, as the Ignorance of the Inquiſitor and his Aſſeſſors, when they examined him, which was ſo very great, as that he verily believed not one of them had ever read the holy Scriptures. And therefore as the Inquiſitors are thus ignorant themſelves, they greatly want the Advice, not only of Perſons skilful in both Laws, or as they call them, of Canoniſts and Layers, but of Divines alſo. They are generally called Aſſeſſors and Counſellors.

They have their diſtinct Parts. They are not all indifferently conſulted in all Affairs, but each of them as to thoſe which they are preſumed to underſtand. The Divines are called in to examine Propoſitions, and explain their Quality. The Layers are conſulted about the Puniſhment or Abſolution of Offenders, and other Merits of Cauſes. The Inquiſitors generally conſult and deliberate with theſe skilful Perſons together, and not apart, as is provided in certain Letters of the *Spaniſh* Counſel.

When therefore any Queſtion happens in the Cognizance of the Cauſes of Hereſy at the Tribunal of the Faith, relating to the Quality of Propoſitions, ſpoken by Hereticks, or Perſons ſuſpected of Hereſy, the Deciſion of that
Tit. 54. Affair belongs to the Divines, from whence they are called *Qualificators*. *Simancas* diſtinctly deſcribes to us their Office.

§. 2. " The Anſwers of the Divines, containing the Quality of Propoſitions, are " to be inſerted in the Acts of the Judiciary Proceſs, ſubſcribed by them, " equally with the Sayings and Witneſſes of Perſons skilful in other Mat- " ters.

§. 6. " A Propoſition is either heretical, *viz.* when it is contrary to Scripture, " or the Church, or the Decrees of a general Council, rightly aſſembled, as to " Matters of Faith, or the Determination of the Apoſtolick See, or the com- " mon Opinion of the Doctors of the Church.

" Or it ſavours of Hereſy, when it hath an heretical Senſe in the moſt ob- " vious Signification, and firſt View of the Words, although if piouſly under- " ſtood, it may bear a Catholick Senſe. As for Inſtance, this Propoſition: " *'Tis ridiculous to carry the Sacrament of the Euchariſt in a ſolemn Proceſſion thro'* " *the publick Streets*. For this Propoſition manifeſtly ſavours of the Hereſy of " the *Lutherans*, and Sacramentaries.

§. 9. " Or it is erroneous, when any Thing is aſſerted againſt a Truth not " plainly determined by the Church, or againſt a Catholick Verity, not

* Dr. *Geddes* gives us a worſe Account of their Stupidity and Ignorance. The Writer of the *Repertorium*, printed at *Venice*, *An.* 1588. to ſhew his critical Learning, ſaith, the Word *Hæreticus*, according to ſome, is compounded of *Erro* and *Recto*, becauſe an Heretick errs from what is right. According to others, it is derived from *Erciſcor*, which ſignifies to divide; and, according to ſome, it comes from *Adhæreo*, becauſe it is one's adhering obſtinately to an Error that makes him an Heretick. And with the ſame Stock of Learning it was that another Inquiſitor proved, from St. *Paul*'s Words, *Hæreticum devita*, that Chriſtians were commanded to deprive Hereticks of their Lives. *Geddes Tracts*, *Vol.* I. *p.* 425.

" known

" known to all, or at least not to him who pronounced the erroneous Propo-
" sition. But as to this Proposition the Doctors greatly differ.

" Or it sounds ill, and offends pious Ears, *viz.* such as gives Scandal and Occasion of Ruin to pious Hearers or Readers. When any are offended at such Propositions, the Assertor of them is forced by the Inquisitors publickly to declare their true Sense, that so the Scandal given may cease. But if such a Person be otherwise suspected, he is to be called and interrogated by the Judges; and if he gives a probable Sense of the Words, he is not to be compelled to a publick Explanation, provided no one hath been scandalized. He is however to be admonished not to speak such Things again for the future. §. 10, 11.

" Or it is rash, *viz.* when attested without any grave Authority or just Reason, insolently and boldly, contrary to Ecclesiastical Modesty. As if any one should say, *The Day of Judgment will be within a Month.* Sometimes however such Propositions are not accounted rash, when they are modestly asserted, or have some Probability, or pious Tendency to edify the Hearers or Readers. Of this sort are many Things, which Men, given to Meditation, may probably imagine to have been done. §. 12.

" Or it is scandalous, in which the Scandal may be observed, though otherwise not heretical. As if any one should reckon up the Inconveniences of holy Confession, or tell the Abuses of the Church of *Rome* before the common People; or if any one should say, *That an evil Prelate is truly a Thief and a Robber*; *The Universities and Colleges are introduced by human Vanity*; *Pulse and Fish blow up the Belly, and incline Men to Venery.* §. 13.

" Or it is schismatical, when tending to introduce Division into the Church. Or seditious, when it becomes the Cause or Occasion of Sedition in the Church. Or blasphemous, when injurious to God and his Saints. Or favouring Hereticks, when it any ways favours the Persons or Errors of Hereticks. This for Instance, *Hereticks are not to be punished.* Or it is injurious, when it detracts from, or is injurious to the State of any one of the Faithful, some illustrious Person or Dignity. Such are those Things which mad and impious Men blab out against the Cardinals and Monks. §. 14, &c.

" The same Proposition may also have several Qualities. It may be erroneous, and heretical, and schismatical, and seditious, rash, and injurious, and thus have one, two, or more Qualities. §. 19.

" Although doubtful Questions concerning the Faith, are to be determined by the chief Pontiff or a general Council, yet as a doctrinal Matter, 'tis usual for learned and prudent Men to explain and determine what Proposition hath this or the other Quality. And this properly is the Business of the Divines. However sometimes the Layers can easily determine such Matters from the Decrees of the Popes, Councils and holy Fathers. §. 20.

" And whereas many who can't deny that they uttered such Propositions, yet will so endeavour to interpret them, as to prevent their being criminal, therefore there must be careful Observation made as to the Nature of such Interpretations. If they are just and probable, and do wholly, or for the

" most

" most part, clear them of the Crimes objected to them, they are to be admitted. But if they are absurd, incredible, or unlikely, and don't agree with what goes before, or comes after, nor with the Nature of just speaking, nor with the Circumstances of Persons, Times, and Places, they are to be rejected; especially when under the Pretence of an Interpretation the true Sense of a Proposition is destroyed and corrupted.

Part I. §.400,&c. " *John Royas* affirms, That the adjudging of Propositions partly belongs to the Canonists, and gives us a short Account of the Office of the several Assessors, and in what Matters they are to be consulted.

" If there be a Doubt whether any Assertion be expresly condemned as heretical, the Cognisance of it belongs to those who are skilful in the Canon Law; because Heresies condemned are to be found in the *Decretals*, the *Sextum*, the *Clementines*, *Extravagants*, and *General Councils*. But if such an Assertion is not expresly determined, it belongs to the Interpreters of holy Writ. But it belongs to the Divines to determine concerning the indistinctly *Inst. Mad. a.* 1561. *cap.* 1. and absolutely received Use and Manner of every Proposition, and from their Assertions in judging Causes of Faith, there must be no receding, which also is more fully decreed by the Counsellors of the supreme General Council of the Inquisition. But the proper Duty and Office of the Inquisitors of heretical Pravity, is to observe the judiciary Order against Hereticks, present or absent, in their Apprehension, Accusations, Publications of Witnesses, and in their Sentences, whether definitive or interlocutory, with the Advice of such Lawyers as are called Counsellors. Of all these Things, the Professors of the sacred Writings are wholly ignorant. Under these Counsellors Lay Persons married, who are skilful in the Canon and Civil Law, are comprehended." This *Carena* confirms by his own Example, who *p.* 1. *t.* 8. *n.* 7. says of himself, *I who am a Judge, a Conservator of the Rights of the holy Office, Counsellor and Advocate Fiscal, am married.* But he thinks this is not the Manner in the Kingdom of *Portugal*, because there the Counsellors have a decisive Vote, and subscribe to the Sentences.

Pegna, *Com.* 127. However, the Inquisitors are not bound necessarily to follow the Advice of the Counsellors; but after they have heard their Opinion, they are free to determine what they think proper, though contrary to, or different from the others Advice; because their Votes are not decisive, but only by way of Advice. This also is plain from hence, because, as *Camillus Campegius* *In* Zanch. *cap.* 15. says, " It may happen, that by the Intreaties of others, they may give wrong Advice, not to say unjust. For the Love of Christ is grown so cold, that few are to be found who have God only before their Eyes, in the Advices they give. For they who defend the Guilty, do so perpetually tire even the Doctors themselves with their Entreaties, that for the most Part they turn them aside from Justice. Add to this, that the Inquisitors in *Italy* are so poor, that they cannot maintain certain and fixed Counsellors, nor afford them even a small Salary: So that little Care is taken of the Affairs of this holy Office."

Farther, the *Madrid* Instruction, in the Year 1561. hath determined the same. Cap. 66. *In all Cases, in which the Inquisitors and Ordinary, or any of them, differ in Opinion, either in the Determination of a Cause, or any other Act, or in an Interlocutory Sentence, the Cause must be referred to the Council. But if the Inquisitors and Ordinary agree, their Decree must be executed, though the Counsellors differ, and should be more in Number.* There is also a Letter of the Counsel in Possession of the Inquisitors of *Corduba*; by which it is decreed, That if the Inquisitors and Ordinary Judge do agree, their Sentence is to be preferred, although the Advice of all the Counsellors differ from it. For the Jurisdiction properly belongs to the Inquisitors and Ordinary Judge; and when they have heard the Opinion of the Learned, and thoroughly considered the Process of the Causes, and fully weighed all Circumstances, they can much better determine, and with greater Certainty. But as to the Inquisitors of *Valladolid*, unless the Majority of them agree in the same Sentence, the Cause must be referred to the Council, although the aforenamed Judges should be unanimous. In *Portugal* the Counsellors have a decisive Vote, and subscribe their Names together with the Inquisitors in the Determination of Causes, and the Sentences; and they are chosen under the same Conditions as the Inquisitors are, excepting only that of being forty Years old, which is required by the common Law.

Simanc. *tit.* 41. §. 14.

Souza, *l.* 1. *c.* 1. §. 14.

But although this Power is granted to the Inquisitors, yet 'tis safer to follow the Advice of the Skilful. To this End they ought fully to communicate the whole Process of Criminals to them. Per cap. *Statuta.* §. *Jubemus,* lib. 6. *When the Bishop proceeds before the Inquisitors, or whether the Bishops or Inquisitors proceed, if there can be conveniently had a Number of Witnesses, let their Names be declared to certain other wise and honest Persons, whom we order to be called to this Service, and to whom the whole Process under Consideration must be seriously opened, and fully explained, and by whose Advice they must proceed to Sentence or Condemnation. And thus, notwithstanding the Names of the Witnesses be not declared to the Persons accused, let all Credit be given to the Deposition of the said Witnesses, and the Judge proceed upon such Information.* 'Tis however a received Custom amongst the Inquisitors, never to tell the Names of the Witnesses to the Counsellors. 'Tis however the Duty of the Inquisitor to remark the Qualities of the Witnesses; as whether they be religious, skilful, grave, and approved, or whether less approved, common Persons, poor, young, unskilful, and the like; that their Qualities being thus known, the Skilful may more easily understand what Credit is to be given to what they severally say, and what not. If there be Reason to fear that the Witnesses are Enemies to the Criminal, the Inquisitors may in such a Case declare the Names both of the Witnesses and Criminals; because possibly the Counsellors may know them both; and whether they are, or have been Enemies. But to prevent any rash Publication of this Matter, they may bind them by Oath, or under the Sentence of Excommunication, to keep it a Secret; because Secrecy, as they say, is the principal Nerve of the Causes of the holy Office. Cap. eod. *More effectually to prevent any Danger to the Accusers and Witnesses, and for the more*

Pegna, *part* 3. *com.* 128.

cautious Proceeding in the Affair of the Inquisition, by Authority of this present Constitution, we permit, That the Bishop or Inquisitors may enjoin Secrecy to those, whom they entrust with the Knowledge of such Process; and if they think fit, publish against them the Sentence of Excommunication, which they, ipso facto, *incur, by discovering the Secret, if they shall reveal the Secrets of the Council, or Processes, committed to them in Secrecy, by the Bishop or Inquisitors, to any Person, without their Leave.* The Counsellors also generally swear that they will keep Secrecy, and not reveal the Affairs treated of in the Congregation, under the Penalty of Excommunication, to be *ipso facto* incurred, from which they cannot be absolved, but by the Cardinals, supreme Inquisitors. They likewise swear under the same Penalty, that they will not speak of, or debate, either by Word or Writing, or any other Way, of those Things which concern the Causes of the holy Office, unless it be with the Counsellors, and other Officials of the said Office. And although they should not expresly sware; yet there are many Laws that oblige them to keep it, enjoining them not to discover the Causes of Faith, because of the great Danger that may arise from it. And if they should make such Discovery, though not sworn to Secrecy, they may be punished by the Inquisitors without the usual Way of Proceeding. But if they have maliciously done it, and especially to those who may obstruct the Affair of the Faith, or otherwise hinder the Cause, they may be punished as Obstructors of the holy Office, more or less, according to the Nature of the Offence, by which the Measure of the Punishment is to be regulated.

Carena, *p.* 1. *t.* 8. *n.* 65.

If Bishops or Inquisitors discover the Secrets of the holy Office, they would indeed incur no Censure, but be guilty of mortal Sin; unless they also should have taken an Oath of Secrecy in the Congregation of their Counsellors, according as the Congregation of the Cardinal, supreme Inquisitors, hath decreed they ought to do. For they also take themselves the like Oath of Secrecy.

In Zanch. *cap.* 15.

Camillus Campegius contends, "That the whole entire Process, with the " Names and Circumstances, is not to be published to the Counsellors; because " they have their Factions and Passions, since they are Fellow Citizens, or " otherwise allied to the Criminals, their Friends and Relations, whereby " the Safety of the Witnesses will not be sufficiently provided for, according " to the Decree of the Canon. Nor doth it signify, though the Inquisitor or " Bishop should enjoin them to Secrecy under the Sentence of Excommuni- " cation, to be *ipso facto* incurred upon their disclosing the Secrets: For they " would think this as a very great Injury done them. Besides, this would be " a Snare laid for their Souls; for they would soon fall under Excommunica- " tion, through the importunate Instances of inquisitive Persons. Nor will " this derogate any Thing from the Process of the Faith, or the Deposition " of the Witnesses: Yea, rather the imminent Danger apprehended by the " Judges, is a sufficient Reason for not making a Discovery to the Counsellors, " any more than to the Criminals. So that 'tis safer to observe the ancient " Custom, and not to discover the Witnesses Names to the Counsellors. The " same *Campegius* says, undoubtedly, for the better keeping the Secret, that

" there is no need of calling in many, and that a few of the better Sort is " abundantly sufficient."

'Tis enquired by the Canonists, whether the Inquisitors are obliged to call for the Vote of the Counsellors before Sentence; so that without it the Sentence shall be void. *Carena* doth not think them oblig'd to it; and says, that in the Inquisition at *Cremona*, he hath oftentimes seen Causes determined by the Bishops and Inquisitors together, without asking the Votes of the Counsellors; and adds, that they ought not so to trust to their Counsellors, as to think themselves excused from reconsidering the Process and Books, and examining the Cause; because as they are Judges, it is their Duty to examine the Merits of the Process. " Hence it is that if the Inquisitors of heretical " Pravity err in determining the Causes of the Faith, whether from their own " or their Counsellors Judgment, they are worthy of Punishment, and the " Votes of their Counsellors will not excuse them, because they ought to " have examined whether their Advice was proper or not. But if the " Question is too difficult and hard, either through the Nature of the Fact, " or the various Opinions of the Doctors, the Inquisitors are in some Mea- " sure excused through their Ignorance of an obscure Law. However, " the Advice of the Counsellors, though wrong, hath this wonderful Effect, " that though the Inquisitors are faulty, yet their Error is not to be imputed " to Corruption. But to avoid all Blame, in all difficult and doubtful Cases; " such as the Seisure of noble and religious Persons, and the Release of Cri- " minals; the Affair, with all the Merits and Votes, is to be laid before " their Superiors, who are to be consulted, before it is put in Execution." *Instruct. Granat. a.* 1499. *cap.* 13. *Instruct. Hispal. a.* 1500. & *Instruct. Madril. a.* 1561. *c.* 5. *and* 66.

p. 1. *t.* 8. *n.* 55, 56.

Royas, *p.* 1. §. 424.

§. 433.

Although these Counsellors or Assessors of the holy Office may lawfully be chosen by the Inquisitors, and are in Fact deputed by them in several Cities, as at *Pavia*, and the other Cities of that Territory; yet at *Cremona* and *Milan*, the Counsellors, Advocate Fiscal, and Chancellor, are chosen by the Cardinals, Inquisitors General at the Nomination of the Inquisitors. So that these Counsellors depend on that Congregation, and cannot be removed but by it; because the Act is his who confirms it.

Carena, *p.* 1. *t.* 8. *n.* 3, 4, 5.

The Father and Son must not be chosen together Counsellors of the holy Office. However, the Congregation of the supreme Inquisitors General, for the Merits of *Francis Caucius* a Lawyer, deputed *John Baptist* a Lawyer, his Son, as a Counsellor of the holy Office, or rather as an Assistant to his Father, who had been a Counsellor of the said Office above thirty Years; but upon this Condition, That they should not be present together in the Congregations; because the Counsellors Votes ought to be altogether free.

n. 32.

The proper Place of these Congregations is the Hall of the holy Office. *Carena* says, that he heard from some worthy Persons, that there are Letters of the Inquisitors General upon this Affair, commanding that such Congregations, when held before the Bishop, shall meet in the Episcopal Palace. But when the Bishop will not, or cannot be present, they shall meet in the holy

n. 38.

Office; and that the Vicar General of the Bishop must be there. And though he himself did not see those Letters, yet he says this is exactly the Method in the Inquisition at *Cremona*.

n. 44, 45. In voting they observe this Order in the Congregation at *Rome*. The junior Counsellors vote first, that they may not be afraid to differ from the Opinion of the Elder. In the Congregation at *Cremona* 'tis quite contrary, where the more Worthy vote first.

n. 48. The Method of voting is this: When the Merits of the Process are proposed, the Counsellor first examines, whether the Intention of the Fiscal is fully proved, and how. Then he considers, whether the Intention of the Fiscal is drawn from the Proofs and Exceptions of the Matter; and after having considered these Things, he gives his Vote.

CHAP. V.

Of the PROMOTOR FISCAL.

Simanc. *tit.* 53. § 1, 2. "THEY usually call that Official of the Inquisition the Promotor Fiscal, "who acts the Part of the Accuser. He must be an honest, diligent and industrious Person, skilful in the Law. He is prohibited from "exercising this Fiscal Office in the Province where he was born, that he "may not be thought to act out of Favour or Hatred.

§. 3, &c. "It belongs to this Office to examine the Depositions of the Witnesses, to "give Information of Criminals to the Inquisitors, or Notice of them to the "Judges, and to demand their Apprehension and Imprisonment; and finally, "when apprehended and admonished to accuse them." In the holy Office in *Spain*, the Fiscals do not form their Accusation against the Criminal, till the Way is clear for the Inquisitors to proceed against him. (Carena, *p.* 1. *t.* 9. *n.* 15.) "And although "the Criminals, upon Admonition, should confess all their Heresies, yet the "Promotor Fiscal must accuse them of the same Things, that Judgment "may be formed from the Accuser, Criminal and Judge. The Charge is, "to be drawn up and presented to the Judges by the Promotor, to which he "is to add an Oath, that none of the Heads of it proceed from a malicious "Design; but only that he may the better prosecute his Suit, and that he "intends to prove them all.

§. 7. "If the Judges shall allow any Time to receieve the Proofs, he must "produce the Witnesses against the Criminal, and demand their Examination; and that their Depositions be allowed and published. If after this "other Witnesses shall appear to prove other Heresies, this also shall be added to the Accusation, and the Promotor Fiscal shall accuse the Criminal "of these. He must also take particular Care to observe all the Confessions, "Sayings and Answers, of the Criminals, that he may be able to gather what

" relates particularly to their Case, and what to other Hereticks. And when §. 10.
" the Depositions of the Witnesses are written down and allow'd; and when the " Judges and Counsellors debate about the Sentence to be passed, the Promotor " Fiscal must be absent. But he may be present when the Process of the Cause " is reported, and from Fact or Law alledge what he thinks convenient." In the *Cremona* Inquisition the Fiscal is not present at the Examination of the Witnesses, unless the Inquisitor calls for him. He is however present at the Examination of the Witnesses, by Way of Defence, and at the rehearing of the Witnesses, and must be present in the Congregations when they vote in the Cause, and always at the Torture, together with the Inquisitor, who sits between the Vicar General on the Right, and the Advocate Fiscal on the Left. Carena, *p.* 1. *t.* 9. *n.* 41.

" Heretofore the Promotor Fiscal was bound to defend the Causes of the Treasury before the Judge of the forfeited Effects, which is to this Day in Use in some Provinces. But generally speaking, this Affair belongs now to the Advocate of the Treasury. §. 11.

" Besides this, in *Spain* they chuse a Person for Procurator General of the " holy Inquisition there, that he may manage the Affair of this most holy " Office at the Court of *Rome*, who is to have a proper Salary paid him out of " the forfeited Effects. Into this Office a skilful and honest Man must be " chosen. *tit.* 52. §. 6. 2 Instruct. Hispal. *cap.* 2.

CHAP. VI.

Of the NOTARIES *of the* INQUISITION.

THE Office of the Registers, whom they also call Notaries and Secretaries, is to write down the Injunctions, Accusations, and all the Pleadings of the Causes. The Judge ought not only to take Care that the Notary writes down the Depositions of the Witnesses, or the Answers of the Criminals, but also that he diligently explains, and particularly remarks, during the Process, the several Circumstances relating to the Witness, the Informer, and the Person against whom Inquisition is made, *viz.* Whether the Colour of his Face changes; whether he trembles or hesitates in speaking; whether he frequently endeavours to interrupt the Interrogatories, by hauking or spitting; or whether his Voice trembles, and the like. All these Circumstances the Judge ought to take Care to have particularly specified in the Process, that it may not be said, that the Person inquired against is put to the Torture without Proofs. Simanc. *tit.* 41. §. 7. Campeg. *in* Zanch. c. 9.

Whatsoever the Notary writes down from the Mouth of the Criminals, or Witnesses, must be in the same Language in which the Witness or Criminal speaks, without altering, adding, diminishing, transposing or inverting any of the Words. If the Criminal or Witness doth not understand *Latin*; and Pegnæ. prax. *Inq.* *l.* 2. *c* 20. *n.* 12, &c.

if the Notary or Inquisitor doth not understand the Language of the one or other, the Inquisitor must have a skilful Interpreter. For it may happen that a *Frenchman*, a *Spaniard*, an *Englishman*, or a *German* may be examin'd before an *Italian* Inquisitor. The Depositions of the Witnesses and the Confessions of the Criminals, are to be written down by the Notaries, in the same Words in which they are deliver'd. And when there are several Witnesses, 'tis not sufficient that the Notary, when he hath particularly wrote down the Depositions of the first Witness, says, that the second or third says entirely the same as the first; but he must write down the particular Words of the several Witnesses, because oftentimes the Case before this Tribunal is the Proof of formal Heresy. *Clement* VIII. in a general Congregation of the Inquisition, *November* 9, 1600. hath particularly commanded the Inquisition not to omit any of the Interrogatories which are made by the Judge, in the Examination of the Witnesses and Criminals, but to write them down at large. [Yea, so favourable are they to this Affair of the Faith, that though the Notaries should make one false Libel, yet all their others are valid, whilst they are kept in Office; although when the Author is condemned, the Book is commonly condemned too. *Ibid.*]

Ex Glos. in cap. Fraternitatis.

" These Notaries are to be chosen of the Laity; but in Causes of Heresy, the " Clergy and Monks, and also others in holy Orders may discharge this Office. " And although in *Spain* they usually take them from amongst the Laity, yet " *Simancas* says, that possibly it would be better, that they should be chosen " from the Clergy, because they would want less than those who have Wives and " Children; for the Salary is scarce sufficient for one. They are also obliged " to register in a certain Book, all the Commands of the Inquisitors, given " to the Executors and Receivers, against Hereticks, and their Effects; " that if any Question should arise concerning these Things, they may be " able, from those Registers, to determine it. Besides, they must be content with their Salary, and receive nothing for their writing, except the " Notary of the forfeited Effects, who may demand his lawful Dues, because " he hath no Salary. They must also travel at their own Expences within " their proper Province, to ratify the Depositions of the Witnesses, the Proof " of the Defences, and the Exceptions against the Witnesses, as it is contain'd " in a certain Decree of the Council." C. *ut Officium.* §. *ad conscribendum.* de hæret. *lib.* 6. 2 *Instruct. Hispal. c.* 13. and 4 *Instruct. Tolet. c.* 18.

tit. 41. §. 7.

Pegna, *in direct. par.* 3. *com.* 20.

Heretofore the *Roman* Pontiffs made several Provisions to support Persons to register the Acts of the Inquisition, because the Inquisitors were poor, and could not maintain a certain Notary, who should be appropriated to this Business; sometimes dispensing with the Clergy and Religious, who were Notaries before, that they might exercise the Office of Notaries in the Cause of the Faith; sometimes allowing that two proper Persons should register the Transactions, to whom full Credit should be given. This was decreed by the Council of *Biterre*. Cap. IV. *Take Oaths from those, who being thus cited before you, shall appear within the Time of Grace assigned, that they shall speak as far as they know, the whole Truth, and nothing but the Truth, concerning the Fact of heretical*

Pravity,

Pravity, either relating to themselves, or others, the living or dead: and after having interrogated them carefully concerning all and singular the Matters worthy of Enquiry, either by your selves, or by the Writers, see that their Confessions and Depositions be faithfully written down, and placed in the Acts of the Inquisition; either by some publick Person, if you can get one, or by any other that is proper and sworn, to whom let another fit and sworn Person be added, that thus such Writings, whither by a publick Hand, or by two fit Persons, as we have mentioned, being thus reposited and written in the Acts, and recited to him who confesses and deposes before the Inquisitor and Notary, or the said two proper Persons, may obtain full Confirmation and Validity. At that Time the Inquisitors themselves could not make Notaries, but were obliged to take the publick Notaries of the Bishops, or of the temporal Lords of those Places, in which the Office of the Inquisition was committed to them, who were to make the Processes, and to execute other Things pertaining to the Affair of the Faith. Or they might desire the Pope to create for them two or three Persons for Notaries of their own Nomination. As to those who had been Notaries, the Inquisitor could compel them to execute that Office, although they were become Religious, by a Bull of *Urban* IV. beginning, *Licet ex omnibus. §. ad conscribendas.* But now by a Rescript of *Pius* IV. beginning, *Pastoralis officii cura*, given *An.* 1561. Cal. 6th *September*, it is provided, that the Inquisitors and their Commissaries, in all Causes of Faith, may, when they think it necessary, by the Apostolick Authority, chuse, assume, and create Notaries, one or more, either all Clergymen, or Regulars of any Order. However a Religious or Clergyman is not immediately created a Notary, when he is commanded by the Inquisitor to write the Acts of the sacred Office; but that all Things may be valid, he must create this Religious a Notary before some other Notary, before proper Witnesses, Pen and Ink being regularly delivered to him, and a solemn Oath administred to him, with the customary Words, *Be thou a Notary and Faithful:* And of all these Things the Notary, who is present at this Creation, must draw up a publick Instrument. And although when they are first created Notaries, they take an Oath to do all Things faithfully, yet nevertheless as often as the Inquisitors send for any Notaries afresh, to write down the Acts of the holy Office, they must take a new Oath of them faithfully to execute their Office, and to preserve the Secrets, which is peculiar in this Cause of Faith. So that if a Notary, or any other Minister of the Inquisition discovers the Secret committed to him, he may not only be punished, but condemned as guilty of Perjury, and fall into some Suspicion of favouring Heresy. [When the Notaries are thus created, the Prelates of the Orders can't remove or change them, since they are created by the delegated Authority of the Apostolick See; nor can the Delegates of the Apostolick See excommunicate them, by the Bull of *Urban* IV. beginning, *Ne Inquisitionis.*]

Eymer, *p.* 3. qu. 18.

Pegna, *Com.* 67.

Com. 68.

Campeg. *ad Zanch.* *c.* 9.

" In *Spain*, even now, the Inquisitors may, if there be Occasion, create " another Notary, and pay him a just Salary, as is provided for by one of " the Letters of the Council. If he be sworn to Secrecy, he is obliged " to give Security to the Promotor Fiscal, and to the other Parties concerned,

Simanc. §. 8.

" and

"and to deliver in a written Account, of the Time of Condemnation, and "Commiſſion of the Crime. For they will not ſuffer the whole Proceſs to be "ſhewn, leaſt Suits ſhould ariſe from Suits, and the Secrets of the whole Cauſe "ſhould be diſcovered. For the Conſequence of this would be, that the "Names of the Witneſſes would be known by all, whereby their Safety would "be endangered, and many Exceptions would be urged againſt them by Slan-"derers. Proviſion was made againſt theſe Inconveniences, by a certain Let-"ter of the Inquiſitor General. Farther, all theſe Notaries muſt attend the "Tribunal of the Inquiſitors ſix Hours every Day. If any one offends in "his Office, he is to be puniſhed according to the Nature of his Crime by a "Fine, Suſpenſion of Office, Deprivation, or Baniſhment, to be moderated "at the Pleaſure of the Inquiſitor General and Council. *Epiſt. dat. Granat.* "*Sept.* 4, 1499. and 4 *Inſtruct. Tolet. cap.* 28, and 13.

§. 9. "The Writings of the holy Inquiſition are to be kept under three Keys, "which are to be in the Hands of the Promotor Fiſcal, and Notaries, nor "muſt they be read or ſhewn to any one, but in the Preſence of all. Beſides "theſe written Acts are to be carefully kept in the publick Hall of the Inqui-"ſitors, that they may be preſent, as often as there is need, nor may the "Notaries ſhew them to any one, nor remove them into another Place; and "if they are convicted of doing the contrary, they are to be removed from "their Office, without Hope of Pardon. However, the Inquiſitors, when "required by the Royal Judges, or by thoſe who have any Intereſt and Con-"cern in the Affair, muſt command the Notaries to give a Copy of the Pa-"pers, but ſo as that the Secrets of the Office, which muſt be kept concealed, "may not thereby be diſcovered, according to the Caution given by a Letter "of the Council. But a Copy of the Acts, which are uſually read in pub-"lick, may be given, *viz.* of the Confeſſions, Sentences, and other Things "of the like Kind, but of nothing more. 3 *Inſtruct. Valdolit.* c. 7. & 4 *Inſtruct.* "*Tolet.* c. 13.

Brunus, *l.* 4. *c.* 3. §. 11. "Theſe Notaries have their Subſtitutes, who ſerve them as Coadjutors in "writing, or taking Notes.

Carena, *p.* 1. *t.* 12. *n.* 7. *n.* 9. "As to the Salaries of the Notary, if they are certain, the Inquiſitors of "the holy Office uſually determine how much they are; if uncertain, they "can't exceed the Tax of the ſupreme Inquiſitors.

"In the Inquiſition of *Cremona* there is one Notary, choſen by the ſupreme "Inquiſitors at the Nomination of the Inquiſitor, who hath a certain Salary "of ſixty Pieces of Gold; which is afterwards uſually increaſed by Order of "the ſaid Inquiſitors to thoſe that have deſerved well; and one other regular "Notary choſen by the Inquiſitor himſelf. In the Dioceſe the Inquiſitor uſu-"ally deputes one Notary, to be preſent with the other publick Vicars.

CHAP.

CHAP. VII.

Of the JUDGE *and* RECEIVER *of the confiscated Effects.*

" HE who is chosen Judge of the confiscated Effects, must be an honest " Man, and skilful in the Law, not of *Jewish* Extract, nor of the " *Mahometan*, nor of an heretical one, but one who may be capable of dis- " charging the Office of Assessor. His Office is, to judge between the Trea- " sury and private Persons, in Causes relating to the Effects of Hereticks. " But he may also take Cognizance between private Persons, when their Cause " hath any Connection with the other. An Appeal lies from his Sentence to " the Senate, but not to any other Judges. But if the Dispute is between the " Treasury and the Church Defendant, or between Ecclesiastical Persons, or " concerning the Revenues of Benefices, the Inquisitors are to take Cogni- " zance of it, as is more fully contained in one of the Resolutions of the Se- " nate. The Inquisitor General, by Advice of the Senate, chuses this Judge " and all the other Ministers. Simanc. *tit.* 41. §. 4.

" He is generally called in *Spain* the Receiver, whom in *Italy* they call the " Treasurer of the holy Office. He receives the confiscated Effects, and by " Command of the King is Procurator of the Treasury, demands, defends, " and sells the confiscated Goods, and pays the Salaries and other Expences of " the holy Office. He who is chosen to the Office, must be an honest and " wealthy Person, capable of making up and reporting his Accounts, and " must give proper Sureties to pay all his Deficiencies. He is to be chosen " by the Inquisitors, according to *Carena*, *p.* 1. *t.* 13. *n.* 1. Simanc. *tit.* 43. §. 1, &c.

" It belongs to the Office of the Receiver to be present at the Sequestration " of Goods, which can't be done but by the previous Command of the Inqui- " sitors. It must be performed by the Executor, in Presence of the Receiver, " and Notary of the Sequestrations, and some other Notary; and all the " Goods of the Criminals, which are found in their Possession, or are in the " Hands of others, are to be written down severally in a Catalogue or Invento- " ry, two Copies of which are to be made out, each Notary to have one. " 2 *Instruct. Hispal. cap.* 8. All the Effects are to be deliver'd to the Sequestra- " tor, with an Inventory subscribed by the Executor, and the said Sequestra- " tor and the Notaries, one Copy of which is to be kept by the Notary of the " Sequestrations. The Sequestrator is to be chosen by the Executor and Re- " ceiver, who must be a sufficient Citizen, not of kin to the Heretick, nor " of an evil Race. But when the Process is formed against any Person dead, " his Effects must not be delivered to the Sequestrator, but taken an Account " of, and sealed up, and left with the Possessors under good Securities. If any " other Persons Effects are with those of the Hereticks, they must be imme- " diately delivered to the Owners. Debts also must be paid out of the Effects " delivered in to the Sequestrator, without waiting for the Issue of the whole

" Cause

" Cause. Finally, if the Criminal be abſolved, all his Effects muſt be imme-
" diately delivered to him. 4 *Inſtruct. Tolet. cap.* 22. As to periſhable Effects,
" and which may grow worſe by keeping, and ſuch alſo as are too chargeable
" to keep, *viz.* Cattle and Slaves, the Receiver muſt ſell them by Command
" of the Inquiſitors, without whoſe Permiſſion nothing can be done.

" When the neceſſary Expences are deducted, the Surplus Money which
" remains out of the Sale of the Effects, is to be depoſited with the Seque-
" ſtrator, of which the Receiver muſt touch nothing till the Criminal is con-
" demned. As to other Things which may be kept, they are to be hired
" out at reaſonable Prices by the Receiver and Sequeſtrator. But theſe and
" other the confiſcated Effects, muſt not be ſold but by Auction, and then
" go to the beſt Bidder. The ſame is to be obſerved as to the Effects which
" are hired out. 2 *Inſtruct. Hiſpal. cap.* 9. In theſe Sales the Receiver muſt
" uſe great Fidelity and Diligence, and though he promiſes after the Rate of
" two or three *per Cent.* for the Recovery of any Effects, yet when they are
" recovered, he muſt allow only one.

" When the Heretick is condemned, the Sequeſtrator muſt immediately
" deliver all the Effects to the Receiver before two Notaries, nor can he re-
" ceive or ſell any Thing but in their Preſence. But the Judge of the con-
" fiſcated Effects may at the Inſtances of the Receiver give Notice by the
" Criers of the future Auction. If any one thinks himſelf to be concerned in
" it, he may, when he knows the Effects are to be ſold, come to the Judge
" and demand his own, and ſue for his Right. If no one comes, the immo-
" vable Effects are to be ſold, and to be put up to Sale by Auction the thir-
" tieth Day, after the publick Notices, and other cuſtomary Things of the
" City, before the Receiver and other Parties concern'd." 4 *Inſtruct. Tolet.
Cap.* 24.

" As to thoſe Effects which are diſputed, they muſt not be ſold by the
" Receiver, till the Suit is finiſhed. As to Effects that are pawned, the Re-
" ceivers may ſell them, not ſo as to prejudice the Right of the Creditors;
" but if the Effects amount to more than the Debt, they muſt be ſold, and
" the former Creditors firſt paid, and the Remainder carried into the Trea-
" ſury. 4 *Inſtruct. Tolet. Cap.* 23. However, the Sale of the forfeited Effects
" is not to be deferred upon Account of Actions, that do not appear to have
" any juſt Foundation, but ſuch Effects are to be ſold, and ſuch a Sum muſt be
" depoſited in the Sequeſtrator's Hands, that is equal to the Value of the
" Debt ſued for, and the Charges of the Suit. Farther, if there be any Ef-
" fects which are to be in common between the Treaſury and others,
" they muſt be divided, if it can be done conveniently: If it cannot, and it
" appears better to ſell them entire and without Diviſion, the Treaſury
" hath the Privilege to order all of them to be ſold by the Receiver, al-
" though the leaſt Part belongs to it, but muſt receive no more than
" its proper Debt, and pay the Remainder to the other Creditors." 4 *Inſt.
Tolet. Cap.* 23.

" The

" The Receivers must omit none of these Things; if they do they incur " the Sentence of Excommunication, and are to be fined 100 Pieces of Gold, " and make good all Losses to the Treasury. *eod. cap.* 23.

" The Receivers of one Province must not seize on the Effects of Here- " ticks which belong to other Receivers, but give them more certain No- " tice of such Effects; otherwise they are deprived of their Office, and pay " the Loss, and double more. 2 *Instruct. cap.* 2.

" All the Monies received by the Sequestrator, and the Money that arises " from the Sale of the Effects, the Receivers must deposit within three Days " after into the publick Chest, which must be locked up with three Keys, " which the holy Senate hath ordered under Excommunication, and a Fine.

" The Receivers of the Treasury can't forgive any Monies to Debtors, " and if any are forgiven by them they are reclaimed; nor can they make any " Bargain or Composition with them. 4 *Instruct. c.* 23.

CHAP. VIII.

Of the EXECUTOR *and* OFFICIALS *of the* INQUISITION.

" THE Executor is he who executes the Commands of the Inquisitors. Simanc. " His Office is principally to apprehend and keep in Custody Crimi- *tit.* 41. " nals, whom he is obliged to pursue, if they are at a Distance, and to put §. 5. " in Irons, and to be content with his appointed Salary. But if it be needful for " the Familiars to attend him, they must have a Salary appointed by the " Inquisitors, to be paid by the Receiver out of the Treasury. And as he is " a mere Executor of a Command, he must carefully keep within his Bounds, " and punctually execute the Order of the Judges. These they also call Ap- " paritors and Pursevants. 4 *Instruct. Tolet. cap.* 26."

Their Office is the same with theirs who are otherwise called Officials, Bzovius, concerning whom *Innocent* IV. hath ordained these Things, by a Constitu- *a.* 1252. tion, beginning, *Ad extirpanda*, as they are all placed in Order, in a Book §. 3. entitled, *The Manner of proceeding against Hereticks*, ascribed to *John Calderine*.

Let the Governor or Ruler be obliged, within three Days after his Entrance into his Government, to appoint twelve honest and Catholick Men, and two Notaries, and two Servitors, or as many as shall be necessary, whom the Diocesan, if present, and willing to be concerned, and two Friars Predicants, and two Minorites deputed to this Service by their Priors, if there should be there Convents of the said Order, shall think proper to be chosen. Such Persons, when appointed and chosen, may and ought to take up heretical Men and Women, to seize on their Effects, and to cause them to be seized on by others, and to cause that these Things be fully done, as well in the City,

 as

as in his whole Jurisdiction and District, and to bring them, and cause them to be brought into the Power of the Diocesan, or his Vicars.

Let their Office continue only during six Months, after which let the Governor be obliged to substitute so many other Officials according to the prescribed Form, who may execute the foresaid Office according to the said Form for the six Months next following.

But let them not be compelled to any other Office or Employment, that doth or may in any manner hinder the said Office, nor let any Statute made, or to be made, hinder by any Means their Office.

Let full Credit be given to these aforesaid Officials concerning all Things which are known to belong to their Office, without requiring from them any special Oath, or admitting any Proof to the contrary, when two or more of them shall be present. Farther, when these Officials are chosen, let them swear to execute all these Things faithfully, and according to their Power, and to speak nothing but the Truth concerning all these Things, so that they may be more fully obey'd in all Things appertaining to their Office, and let the said twelve and their Servitors, and the before appointed Notaries, together, or separately, have full Power of commanding, upon Pain of Punishment and the Ban, all Things appertaining to their Office, and let the Governor or Ruler be obliged to confirm and ratify all their Commands which they shall give relating to their Office, and punish those who don't observe them.

Farther, let the Governor be obliged to send with their Officials, one of his Soldiers, or some other Assistant, if the Diocesan, or his Vicar, or the Inquisitors deputed by the Apostolick Sea, or the said Officials shall demand it; and let such Soldier faithfully execute their Office with them. Let every one also, if he be present, or required, whither in the City Jurisdiction or District, be obliged to grant to these Officials, or their Companions, Counsel and Assistance, when they will apprehend, seize the Effects of, or make Inquiry concerning any heretical Man or Woman, or enter into any House or Place, or Passage, to take Hereticks, under the Punishment of 25 Imperial Pounds, or the Ban. Let every corporate Town be obliged to it under the Penalty of an 100 Pounds and Ban, and a Village under the Penalty of fifty, to be paid every time in ready Money.

Alexander IV. *An.* 1255. wrote to the Inquisitors of *Liguria* *, and *Insubria* †, *That the aforesaid Officials may command any City, Borough or Village, under the Penalty and Ban of 1200 Marks of Silver and more, at the Pleasure of the Governor of such Place, that they shall present, within a competent Time fixed, to the Governor, or Diocesan, or his Vicar, or the Inquisitors of Hereticks, all heretical Men and Women, which the said Officials shall signify to them. And the Governor of such Place shall be obliged to exact this Punishment from all who do not observe this Order.*

Innocent IV. adds in the same Bull, *That if any Loss shall at any Time happen to the said Officials in their Persons and Effects, in executing their Office, they shall be indemnified with full Restitution by such City or Place, and that the said Officials, or*

* Containing the Towns of *Genova*, *Nizza*, *Vintimilia*, *Albenga*, *Polenza*, *Alba*, *Aste*, *Aich*, *Tortona*, and *Voghera*.

† Containing *Milan*, *Lodi*, *Crema* and *Monza*.

their

their Heirs, shall not at any time be sued for any Thing they have done, or belonging to their Office, any farther than as the said Diocesan and Friars think fit.

And if the aforesaid Diocesan or Friars shall think fit to remove any one of the said Officials for being unskilful or improper, or for any Engagement, or Excess, the Governor or chief Officer shall be obliged to remove him at their Command and Appointment, and to substitute another in his Place, according to the prescribed Form.

But if any one of them shall, contrary to his Oath, or Duty of his Office, be found to have favoured Heresy; besides the Mark of perpetual Infamy which he shall incur as a Favourer of Hereticks, let him be punished by the Governor or chief Officer, at the Pleasure of the Diocesan of the Place and the said Friars.

CHAP. IX.

Of the FAMILIARS, *or* ATTENDANTS.

INnocent III. granted large Indulgences and Privileges to those, who should accompany or assist the Inquisitor in his making Inquisition against and punishing Hereticks, that this newly appointed Office might have the more happy Success. Hence the Soldiers, who were Assistants and Helpers to the Inquisitor, were commonly called Familiars *, as belonging to the Inquisitor's Family. In some Provinces of *Italy* they are called Cross-bearers, and in others the Scholars of St. *Peter* the Martyr, and they ware a Cross before them upon the outside Garment.

† Anciently certain Persons were appointed, whose Office it was to use all Diligence in searching out Hereticks, and to this Purpose they applied the Decree of the Council of *Biterre, cap.* 34. *In all Parishes, as well within Cities as without them, let one Priest, or two or three of the Laity of good Reputation, or more if need be, be bound by Oath to remove and change, as often as it shall seem good to* Pegna, *prox. Inq. c.* 5. §. 3.

* The Familiars are the Bailiffs of the Inquisition, which, tho' a vile Office in all other Criminal Courts, is esteemed so honourable in this of the Inquisition, that there is not a Nobleman in the Kingdom of *Portugal* that is not in it, and such are commonly employed by the Inquisitors to apprehend People. Neither is it any wonder that Persons of the highest Quality desire to be thus employed, since the same plenary Indulgence is granted by the Pope to every single Exercise of this Office, as was granted by the *Lateran* Council to those who succoured the Holy Land. Dr. *Geddes Tracts, Vol.* I. *p.* 425, 426.

† When the Familiar is sent for to apprehend any Person, he hath the following Order put into his Hand. *By the Command of the Reverend Father* N. *an Inquisitor of heretical Pravity, let* N. *be apprehended and committed to the Prisons of this holy Office, and not be released out of them, but by the express Order of the said Reverend Inquisitor.* And if several Persons are to be taken up at the same time, the Familiars are commanded so to order Things, that they may know nothing of one another's being apprehended. And at this the Familiars are so expert, that a Father and his three Sons, and three Daughters, who lived together in the same House, were all carried Prisoners to the Inquisition, without knowing any Thing of one another's being there until seven Years afterwards, when they that were alive came forth in *an Act of Faith. Geddes, Vol.* I. *p.* 429.

you, (the Inquisitors) *who diligently, faithfully and frequently may search out Hereticks in Villages, and find them when out of their Houses, their subterraneous Shelters, Huts and Fastnesses, and all other their hiding Places, all which let them cause to be*
§. 4, 5. *stopped up or destroyed.* " The Familiars or Cross-bearers are now in their " Room; and they are then especially in Service, when the Bishops or Inquisitors have Dioceses bordering upon and near to the Lands of Hereticks, " or Persons suspected of Heresy, so that a mutual Commerce can scarce be " avoided amongst them. For as then they may more reasonably be afraid, " lest those who are subject to them, and belong to their Jurisdiction, should " be infected and corrupted by Hereticks, they ought to use the strictest Diligence to know with whom Hereticks lodge, and into whose Houses they " are received; and whither any subject to them go to the neighbouring " Towns of Hereticks, and for what Cause, and whither they have brought " from thence the Poison of heretical Pravity by Doctrines they have heard " or read." So careful are they upon every Occasion, that there shall not be the least Dispute about any of the Doctrines of their Church.

But now the Familiars always accompany the Inquisitors in *Spain*, even
Tit. 41. though they are free from the Danger which *Pegna* was so very solicitous
§. 15. about. *Simancas* describes to us their Offices and Immunities.

" The Familiars or Attendants are necessary to accompany the Inquisitors, " and to defend them, if Need be, from the Insults of Hereticks; and to follow the Executor when going to apprehend Criminals; and to do other " Things which the Judges shall think proper to fulfil the Duty of the holy " Office of the Inquisition. The Familiars are allowed to use Arms, but " must not abuse them. Such as are to be chosen, must be good, peaceable, " and married Men, as it is provided by a certain Letter of the Council; and " no more must be admitted but what the Necessity of the Office requires. " *Clement.* 2. §. *ult. de hæret.*

§. 16. " And because the Familiars have no Salaries, and no one is bound to serve " for nothing, 'tis necessary that certain Privileges should be granted them, in " which Matter there have been several Alterations by the Royal Commands, " they having sometimes had Immunities allowed them, and at other Times " been deprived of them, because of their Excesses, and unruly Multitude. " At length, by the King's Command, certain of the Royal Council and the " Senate of the holy Inquisition met together, and published a Constitution, " by which certain Immunities are granted to the Familiars, their Number " fixed, and the Manner prescribed, in which the Differences and Contentions " that may arise between the Inquisitors and royal Judges, upon account of " the Familiars, are to be suppressed and determined. 4 *Instruct. Toled. c.* 5. " *Constitut. Royal*, published *March* 19, 1553.

§. 17. " And first as to the Number of Inquisitors, 'tis appointed, that in the City " of *Toledo* there shall be 50 Familiars chosen by the Inquisitors, as many at " *Seville*, and 50 in *Granada*, and no more; 40 in *Corduba*, *Cuenca*, and *Valladolid*; at *Calaborre* and *Ilerena* 25; in the City of *Murcia* 30; in every " Town where there were 3000 Burgesses, six, in all others of 500 Burgesses,

" four; in other leſſer Towns two only in each. But in every Sea-port or " Frontier Town four may be choſen. If more are choſen they have no " Privilege.

" By the ſame Conſtitution 'tis provided, that in every Province there " ſhould be given in to the Conſiſtories of the ſeveral Cities a Liſt of the Fa- " miliars, that the Governors and Magiſtrates may know them, and ſee that " they don't exceed the Number; and that if they are quarrelſome, or unworthy " their Office, they may report it to the Inquiſitor General and Council; " which is alſo to be done when any one is put into the Room of another Fa- " miliar. 'Tis farther appointed, that in all Civil Cauſes the Familiars ſhall be " cited before the ſecular Judges as much as if they were not Familiars. §. 18.

" But in Criminal Cauſes the Familiars are exempted from the Juriſdiction " of the ſecular Judges, and are to be puniſhed by the Inquiſitors, except in " the Caſe of Treaſon, and the Crime againſt Nature, Rebellion and open " Sedition. Likewiſe the Familiars are to be puniſhed by lay Judges, if they " offend againſt Letters of Safety granted by the Prince, if they obſtinately " oppoſe the Royal Commands, if they betray and raviſh Women, if they " are publick Thieves, Breakers open of Churches, Monaſteries, or other " Houſes, or if they ſet them on fire, or commit any other greater and more " heinous Crimes than theſe, or if they inſolently and obſtinately contemn the " royal Judges, or if they reſiſt them, or if being themſelves in ſecular Offices " they commit any Offence therein. §. 19.

" Farther, the ſecular Judges may take up the Familiars for thoſe Crimes, " the Cogniſance of which belongs to the Inquiſitors, but muſt immediately " ſend them to their proper Judges, with a ſummary Proof of their Offences, " at the Coſt of the criminal Familiar. 'Tis likewiſe provided by the ſame " Conſtitution, that as often as the Familiars offend in any City or Place " where no Inquiſitors reſide, they ſhall be ſo often obliged to ſhew to the " Judges of the Place, where the Familiar hath committed his Offence, a " Copy of the Sentence pronounced by the Inquiſitors againſt him, with a " publick Teſtimony that he hath ſatisfied the Sentence pronounced againſt him " for his Crime. §. 20.

" But if any Difference ariſes between the Inquiſitors and ſecular Judges " concerning the Cognizance of any Offence committed by a Familiar, the " Cauſe muſt be referred to the Royal Court, with a ſummary Proof of the " Crime, that upon hearing the Caſe by two royal Counſellors, and two others " of the Senate of the holy Inquiſition, the Cauſe may be remitted to thoſe " Judges to whom the Cognizance of it ſhall appear to belong, ſimply, with- " out Noiſe and Form of Judgment. And from this Sentence there muſt be " no Appeal. Farther, if theſe ſupreme Judges ſhall diſagree to whom to ſend " the Priſoner, and three of them ſhould not be of the ſame Opinion, the " King muſt be conſulted. In the mean while the Familiar muſt be kept in " Cuſtody by that Judge who took him up; but his Trial muſt be deferred " till he is ſent to his proper Judge, to whom, upon a Declaration made, he " muſt be immediately reſtored, though he ſhould happen to have been §. 21.

" put

" put in Chains by another Judge. Thus far the royal Constitution, dated
" the 10th, and confirmed the 19th of *March*, 1553.

We read of a famous Case of this Nature, concerning Jurisdiction between the Inquisitors and secular Judge in *Nicholas Rodrigues Fermosino*, which is added to his Treatises of Judgments, &c. This *Fermosino* was in the Office of Counsellor of the Treasury, in the Inquisition of *Valladolid*, and created Inquisitor, and by King *Philip* IV. made Judge of the confiscated Effects of the said Inquisition. The Case was this: The Magistrates of *Valladolid* order'd rough Walls to be built, to prevent Travellers coming into the City for Fear of the Plague. *Antonius Moreno*, Governor of the House of Penance, in that City, and his Aunt *Mariana de Pareda*, formerly Wife of a certain Secretary of the Inquisition at *Ilerena*, obstructed this Building. And therefore *Jerom Antony de Toresillas*, Mayor of the City, took both of them out of the House of Penance, *An.* 1648. 3d Cal. of *August*, and put them in the common Jail, and laid them in Irons. The Inquisition demanded of him three Times, that he would release the Prisoners, and send them back to the Tribunal of the Inquisition, as their competent Judge, with all the original Acts and Process. The Mayor first said he would restore them, but afterwards declared that he would not deliver them over, but under this Condition, that the Tribunal should proceed to no other Process. The Inquisition was not satisfy'd with this, and the Affair was greatly contested on both Sides. The Inquisition sent their Orders to the Mayor, and the Mayor, by his Answers, opposed the Orders and Commands of the Inquisition. At last, the Dispute ran so high, that the Inquisition, after a declaratory Injunction, laid him under Excommunication and the Anathema; and because he continu'd to exercise every Act of Jurisdiction, they put him under a general local Interdict. But this made no Impression on him; for he answer'd, That the Tribunal of the Inquisition had no Jurisdiction over him; and that whilst the Dispute was to whom the Cognizance of the Prisoners belonged, their Excommunication could not touch him, especially as he had appealed from all Censures of the Inquisition. At length the Inquisition prepared to publish the Order for Cessation of divine Services. But the Royal Court, to put an End to this troublesome Difference, commanded the Mayor to dismiss his Prisoners; and the Tribunal of the Inquisition, to destroy all the Acts and Process against the Mayor, to grant him Absolution, and remove the Interdict. But the Inquisition was not satisfy'd in this; but by *Fermosino*, their Fiscal Advocate, prayed the King, That the Mayor might be severely punished, adding this Reason, least a Way should be opened to infinite Contentions and Extorsions of the like Nature; especially since the other Judges will every Day, considering these Things went unpunished, urge many frivolous Reasons for not acknowledging any of the Censures of this Tribunal, in Contempt of Justice.

CHAP.

CHAP. X.

Of the CROSS-BEARERS.

BESIDES theſe Familiars, there is another Sort of them, called Croſs-Bearers, inſtituted by *Dominick*, to whom he gave ſuch Conſtitutions and Laws for their Direction, as obliges them vigorouſly to proſecute Hereticks, and when there is Need, to endeavour, with the greateſt Violence, their Deſtruction. "They make a Vow between the Hands of the Inquiſitors to "defend the Catholick Faith, though with the Loſs of Fortune and Life; "and may be compelled to perform their Vow. The Popes have honoured "this Fraternity with many Graces, Indulgencies and Favours," which may be ſeen at large in *Campegius*. *Bernard Comenſis* gives us the Main of them in his *Light of the Inquiſitors*. Campeg. *in* Zanch. *cap.* 9. *f.* 241. *cap.* 1.

"Their Indulgence is, (1.) Their having a plenary Remiſſion of all their "Sins. This was granted by *Alexander* IV. in a Privilege beginning, *Præ* "*cunctis*, and by *Gregory* IX. and *Clement* IV. and alſo by the *Extravagants* "*de hæret*. Cap. *Excommun*. §. *Catholici vero*. But upon this Condition, "that they vigorouſly proſecute their Vow in aid of the Inquiſition, even to "Death. (2.) Every ſuch Croſs-Bearer may be abſolved by the Inquiſition, "from every Sentence of Excommunication, Suſpenſion and Interdict of a "Canon; and from thoſe eſpecially which he may have incurred for the "burning of Churches, or laying violent Hands on Eccleſiaſtical Perſons, "and from all other Sentences generally promulgated by the Apoſtolick See. "(3.) The Inquiſition may diſpenſe with theſe Croſs Bearers, if of the Cler-"gy, for all Irregularities they may have contracted by celebrating divine "Service, when under any canonical Sentence. (4.) All their Vows may be "commuted for by the Inquiſitors; thoſe only excepted of the holy Land, "and which are perpetual. (5.) The Inquiſitors may allow them to be pre-"ſent at Divine Services, and to receive the Eccleſiaſtical Sacraments in ſuch "Places where, by the Apoſtolick Indulgence, they are allow'd to be ad-"miniſtred, in the Time of a general Interdict. All theſe Things appear by "a Privilege granted by *Innocent* IV. which begins, *Malitia hujus temporis*." Theſe Privileges were confirmed by *Pius* V. by his Conſtitution, beginning, *Sacroſanctæ Romanæ & univerſali Eccleſiæ*, dated *October* 13, 1570. ſo far as they are not repugnant to the Decrees of the Council of *Trent*. *In voce Indulgentia cruce ſignatorum.*

From theſe Privileges it appears, that when the Faithful are to take the Croſs, their Vow muſt be made only before the Inquiſitors or their Vicars; and that they receive no Advantage from them, unleſs they have the Inquiſitors Leave. Theſe Things and the like, *Campegius* thinks, ſhould be preach'd to the Croſs-Bearers, leaſt they ſhould pretend Ignorance. "For he ſaith, That "he diſcovered many Errors and Abuſes of theſe Croſs-Bearers, in a City, "within his Province of the Inquiſition; for he found a large Number of them, Campeg. *cap.* 37. *fol.* 267. *verſo.*

" who did not enter into this Warfare by the Door, nor receive the Crofs " from any Inquifitor or Vicar; but that the very Laicks, the Minifters of " this fame Fraternity, whom they call Officials or Maffaries *, wrote the " Names of others that came to them in the Book of the Crofs-Bearers; and " thus unjuftly invaded the Province of the Inquifition. He adds moreover, " *Not being able to bear this, I made a Sermon on the Crofs, in the Cathedral, ac-* " *cording to the ancient Stile of the Inquifitors, granting the ufual Indulgence to* " *the Auditors; and publickly admonifhed them of their publick Error, and parti-* " *cularly explain'd what they ought hereafter to do; who upon difcovery of the* " *Truth, fubmitted, after many Difputes, and the Advice of Advocates. For they* " *would have had, even againft my Will, that fome of thefe fhould have affifted* " *at the Examinations, as though it belonged to them of right. Whereas I declared,* " *That the Inquifitor was the Head and Captain of the Crofs-Bearers, and there-* " *fore would not have them prefide over the Inquifitors, but according to Equity* " *be fubject to it.*

Lucerna *Inquif.* " The Office of thofe Crofs-Bearers is to provide the Inquifitors with " Neceffaries; fo that they are excommunicated if they refufe to give Money " to the Inquifitor, when he afks and wants it for the Service of the Office of " the Inquifition; becaufe private Perfons, who have bound themfelves by " Oath or Vow, are even by Omiffion faid to be Favourers, *viz.* if they " do not manifeft, or perform what they have promifed by Vow.

The Ceremonies they ufe when they take the Crofs on them, are accurately defcribed by *Campegius.*

The Inftruction of Campegius *concerning the Manner of Signing with the Crofs.*

Tr. tr. *tom.* xi. *p.* 2. *fol.* 269. *verfo.* " WHoever from his Affection to the Catholick Faith, will take the Crofs, " let him be diligently inftructed by the Inquifitor, or his Vicar, " concerning the Bond of his Vow, and the Weight of his Obligation. Let it " be efpecially declared to him that he fhall be bound not only to part with all " his outward Eftate, but even to give up his Life for the moft holy Faith, at " the Command of the Inquifitor or his Vicar; and that having once taken " the Crofs by Vow, he fhall not lay it down without the fpecial Difpen- " fation of the Pope. If he be found ready to obferve all thefe Things, the " Inquifitor or his Vicar may admit him to the Vow of the Crofs. And " becaufe the Croffes given are firft to be bleffed, therefore we appoint this " Form of Benediction.

Verf. *Our Help is in the Name of the Lord.*
Anfw. *Who made the Heavens.*
Verf. *Lord fhew us thy Mercy;*
Anfw. *And grant us thy Salvation.*

* A Sort of Houfe-keepers, who looked after the Goods and Furniture of the Monafteries.

Verf.

Verſ. *The Lord be with you,*
Anſw. *And with thy Spirit.*

Let us pray.

ALmighty and everlaſting God, who haſt conſecrated the Sign of the Croſs with the precious Blood of thy Son, and by the ſame Croſs and Death of thy Son Jeſus Chriſt haſt redeemed the World, and by the Virtue of the ſame venerable Croſs, haſt deliver'd Mankind from the Tyranny of the old Enemy; we humbly beſeech thee, that thou wilt vouchſafe to bl† eſs this Croſs, and grant unto it an heavenly Virtue and Grace, that whoſoever ſhall bear it on him may merit a Plenitude of heavenly Grace, and to have Chriſt for his Protector, againſt all the Enemies of his Soul and Body, who with thee lives and reigns, World without End. Amen.

" The Croſs thus bleſſed, he who is to be ſigned with it, kneeling before " the Inquiſitor or his Vicar, thus reverently declares his Vow.

I N. *Vow to God, and the bleſſed* Mary, *and the bleſſed* Peter *the Martyr, that I will receive and carry the Croſs, to the Honour of Jeſus Chriſt our Lord, the Advancement of the Catholick Faith, and to the Extirpation of Hereticks and their Favourers, throughout all the Dioceſe of* F. *And I promiſe to expoſe my temporal Subſtance, and my proper Life, for the Defence of the Faith, when there ſhall be need, and I ſhall be ſo required to do; and that I will be obedient to the Reverend Father Inquiſitor, his Succeſſors or Vicars, in all Things appertaining to the Office of the Inquiſition.*

" This done, the Inquiſitor or his Vicar gives him a red Croſs bleſſed, " ſaying," *Receive the Sign of the Croſs of our Lord Jeſus Chriſt, in the Name of the † Father, and the † Son, and the Holy † Ghoſt, as the Figure and Memorial of the Croſs, Paſſion and Death of Jeſus Chriſt our Saviour, for the Salvation of thy Soul and Body, and the Defence of the Catholick Faith, that the Favour of the Divine Goodneſs may bring you to the heavenly Kingdom.* Amen.

A Prayer to be ſaid over him that takes the Croſs.

Verſ. *Lord ſhew us thy Mercy;*
Anſw. *And grant us thy Salvation.*
Verſ. *The Lord be with you,*
Anſw. *And with thy Spirit.*
Verſ. *Lord hear my Prayer;*
Anſw. *And let my Cry come up unto thee.*

Let us pray.

GRant the Right-hand of thy heavenly Aid, O Lord, to thy Servant, whom, for the Glory of thy Name, thou wouldst have mark'd with the Sign of the most holy Cross, and be a Defender of the holy Faith against perfidious Hereticks, that he may seek thee with his whole Heart, manfully defend the Catholick Faith, and may attain what he worthily seeks after; so that when he hath finished his Warfare, he may merit to be a Co-heir of the Kingdom of thy Son, through the same Lord Jesus Christ, &c.

The Manner and Form of absolving these Cross-Bearers in the Article of Death.

fol. 270. *THE Lord Jesus Christ, who said to his Disciples,* Whatsoever Things ye shall bind on Earth, shall be bound in Heaven; and whatsoever Things ye shall loose on Earth shall be loosed in Heaven, *of which Number, though unworthy, he hath made me one; he absolveth thee, by my Ministry, from all thy Sins, whatsoever thou hast committed, in Thought, Word, or Deed; and as far as 'tis permitted to my Weakness, by the Authority of the same, our Lord Jesus Christ, and of the blessed Apostles,* Peter *and* Paul, *as also of our Lord Pope* Urban III. *and according to the Privileges which the* Roman *Pontiffs have granted to the Office of the Inquisition, and by Virtue of the Privilege of Pope* Innocent IV. *of which this is the Tenor;* That you, and such faithful Persons, who have taken the Cross for the Sake of this Vow, may receive a large Recompense of Reward; we give you that Indulgence and that Privilege, which are given by a general Council to such who go for the Recovery of the Holy Land, *by Virtue of this Indulgence and Privilege, which* Clement IV. *and* Clement VII. *or any other* Roman *Pontiffs have vouchsafed to all Cross-Bearers, who persevere to the End of Life, in the Vow of the Cross which they have taken, and give their Assistance to the Inquisitors, for the Defence of the Catholick Faith, by which is granted to them, in the Article of Death, plenary Indulgence and Remission of all Sins: I absolve thee from every Sentence of Excommunication, Suspension and Interdict, and restore thee to the Sacraments of the holy* Roman *Church. By the same Authority I absolve thee from all and singular thy Sins, for which thou art contrite in Heart, and which thou hast confessed with thy Mouth; and I grant thee full Remission of thy Sins, as far as 'tis agreeable to the Divine Majesty, that thou mayest be absolved before the Tribunal of our Lord Jesus Christ, and receive eternal Life, and live for ever.* Amen. *In the Name of the † Father, and the † Son, and the Holy † Ghost.* Amen.

Param. *l.* 2. *t.* 3. *c.* 3. *n.* 7. These Cross-Bearers were heretofore of great Use to the Inquisitors. But in Process of Time, as there was no need of Arms to subdue Hereticks, the Name of this Warfare grew into disuse; and with the Change of some of their Constitutions, they were called, Of the Penance of St. *Dominick*, in honour

nour of their Founder. This Religion is the Third of those instituted by *Dominick*, the Constitutions of which have been confirmed by the *Roman* Pontiffs.

CHAP. XI.

Of the VISITORS *of the* INQUISITORS.

" AS the Offices of the Inquisitors and other Ministers were perpetual, " it was necessary, that sometimes they should give an Account of " their Behaviour. Therefore there was a Magistrate created to visit the " Inquisitors, and all the other Ministers, who was called the Visitor. His " Office was to visit all the Provinces of the Inquisitors, and report to the " Inquisitor General and Council whatever was proper to be amended. He " was strictly to keep to his Instructions, not to be the Guest of those he visited, " nor to receive any Thing from them himself, or by others. If one was not " sufficient they might chuse more." *Simancas* adds, That his great Uncle, *Francis Simancas*, Archdeacon of *Cordova*, enjoy'd this Office without any Colleague. But now they appoint Visitors privately, as often as it is any where necessary. *Simanc. tit.* 41. §. 27, 28. 4 *Instruct. Tolet. c.* 3.

" All the Ministers of the holy Inquisition are obliged to swear before the " Inquisitors and Bishop, or his Vicar, that they will faithfully discharge the " Trust committed to them. The Inquisitors, Counsellors, and others also " swear, that they will faithfully conceal all Secrets, which if any one dares " to discover, he is to be deprived of his Office, and to suffer other Punishments, according to the Nature of his Crime. §. 30. §. 31.

" 'Tis also part of their Instructions, that the Inquisitors, and all other " Ministers, shall serve in their Offices, by themselves, and not by their Substitutes; the Ministers are not to absent themselves without Leave of the Inquisitors, which must not extend to above twenty Days. If any one is longer absent, or goes without Leave, he must be deprived of his Salary, his " Absence is to be noted, and his Salary not paid by the Receiver, without " first inspecting the Book of Defaults, according to several Letters of the " Council. §. 35. §. 36.

" Farther, no one must be a Minister of this holy Office in any Province " where the Inquisitor is either kin to him, or his Lord. 'Tis also prohibited for any Minister to intermeddle in any Negociation, either by himself or others. He who contravenes this Order is to be deprived of his " Office, and fined 20000 Peices. He who doth not discover this is be excommunicated. 4 *Instruct. Tolet.* Cap. 12. and at the End of all the written " Instructions, and the printed ones, *fol.* 21. §. 38.

" If any lesser Crime be committed by those Ministers, they may be punished by the Inquisitors. If their Offence be more grievous, it must be re- §. 39.

" ported to the Inquisitor General and Council, that if the Case requires it,
§. 40. " they may be deprived of their Office. 1 *Instruct. Hispal. c.* 27. 'Tis also prohibited by the same Instructions for any one to be in two Offices, or enjoy two Salaries. 4 *Instruct. Tolet. cap.* 18.

CHAP. XII.

Concerning the Duty or Power of every MAGISTRATE.

THUS far we have treated of the Ministers which belong to the Inquisition of Hereticks. The Civil Magistrate hath no Part in this Affair; for he is entirely excluded from all Cognizance of the Crime of Heresy. Thus *Simancas* teaches: "The Cognizance of Heresy solely belongs to the Ecclesiastical Judge, because this is a Crime committed against the Faith and Religion; for as to those Crimes which the secular Administration knows nothing of, and which are declared such by the Christian Religion, such as Heresy, Schism, and others of the like sort, the Ecclesiastical Judge only hath Cognizance of them. And therefore to whatsoever Branch of the secular Judgment the Cognizance of such Crimes may at any time happen, it must be immediately referred to the Ecclesiastical Judges.

Tit. 36. §. 1.

§. 2. "It is more largely forbidden by the royal Laws at this Day in *Spain*, that no one of the secular Judges, of whatsoever Dignity and Power, shall by any Means presume to take Cognizance even of those civil or criminal Causes which belong to the Inquisitors, and the Judges of forfeited Effects; no not under Pretence of relieving Persons oppressed by Violence, which, in other Cases, would be a most wholesome and present Remedy to redress the Grievances of the Ecclesiastical Judges. However, if any will appeal in the before-mentioned Causes, they must apply to the Council of the holy General Inquisition. This royal Command was dated at *Burgos*, *March* 7, 1508. and renewed 1553."

However, they stand in need of the Arms and Power of the Magistrate, for the Punishment of Hereticks, and that they may execute the Sentences pronounced against them. For 'tis not lawful for Ecclesiastical Persons to kill any one. Therefore they desire to have all Magistrates obedient to their Beck and Commands, and to have no Liberty of Conscience granted by them to Hereticks, but insist on their being ready and prepared to draw their Swords against Hereticks at the Pope's Command. This is the Doctrine of *Maldonet*, explaining the Parable of the Tares sown amongst the Wheat. For after he hath said that the *Calvinists* and *Lutherans* are to be cut off as manifest Hereticks, he adds these Things: *Not that I speak thus, as though I had not rather have them converted than put to Death. All that I intend is to admonish Princes, or because Princes may not read these Things, those who can advise them, that 'tis not lawful*

Comment. in Mat. xiii. 26.

lawful for them to grant Hereticks those Liberties of Conscience, as they are called, too much in use, in our Days, unless first of all the Church, or the Roman *Pontiff, who is the Head of the Church, the Person of Christ, and as it were the Father of the Family, shall judge, that the Tares cannot be plucked up unless the Wheat also be destroyed; and that 'tis for the Advantage of the Church to permit both to grow together till the Harvest. In this Matter Princes, who are but the Servants of the Father of the Family, are not to judge, but the Father of the Family himself,* i. e. *the Governor of the Church. Nor should Princes ask the Father of the Family, that he would suffer both to grow till the Harvest, but whether it be his Pleasure that they should go and pluck up the Tares. They ought to be so affected and prepared, as to need rather to be restrained than incited by the Father of the Family.*

But because there is but seldom such a Readiness in Kings and Princes to extirpate Hereticks, the Ecclesiasticks are incessantly egging them on till they have prevailed on them to yield to them all Things. Farther, they affirm that this is the Duty of the Pope and the other Bishops, as we read in *Conrad Brunus*, in his Book of Hereticks and Schismaticks. *It belongs to the Duty of the* Roman *Pontiff and the other Bishops, diligently to admonish the Emperor, and other Kings and Princes, under whose Government there arise Heresies and Schisms, as often as there is Need; first, that they preserve the true and Catholick Religion and Faith, and observe the Commands of God; and secondly, that they every where suppress and extinguish heretical Impiety, by the Discipline and Rigour of the secular Power, which the Sacerdotal Office cannot do by their Doctrine and ecclesiastical Censures. Thus Pope* Leo *implored the Assistance of the Emperor against Hereticks, in his 55th Letter to the Emperor* Martian, *and 36th to the Empress* Pulcheria, *and 23d to the Emperor* Theodosius II. *It belongs also to the Care and Concern of the Pope, to take certain good and faithful Men in the Court of every Prince, who may enquire out Hereticks, and every Thing that belongs to the Defence of the Catholick Faith, and the Preservation of Unity; and put the Prince in mind of whatsoever is necessary to Peace, and inform the Pope of all such Transactions whatsoever; as we find it in the 34th and 80th Letters of* Leo *to Bishop* Julian, *the 55th to the Emperor* Martian, *and 73d to the Emperor* Leo.

l. 3. c. 8. §. 1.

But not content with this, the Popes, by their Decrees, Bulls and Rescripts, command all Magistrates whatsoever, to yield all Assistance to the Inquisitors, severely threatning them with the most grievous Punishments, if they are wanting to their Duty. All which Things are laid together in the Book concerning the Form of Proceeding against Hereticks, generally ascribed to *John Calderine.*

" The Duty of every Magistrate or Governor is described perfectly enough
" in the Constitutions of *Clement*, and in the Decretals, although the Emperor,
" and the Popes *Gregory*, *Alexander* and *Innocent*, touch upon some of these Mat-
" ters. What the Magistrates and other Officers ought to do, is not put down in
" the Order in which it is written, but in such a Manner as renders it more easy to
" be remembred. *Clement* writes after this Manner to the Magistrates and Ru-

Tr. tr. Tom. xi. p. 2. fol. 412.

" lers,

" lers, and Consuls, and Nobles *, and Councils, and Communities of Cities and " other Places in *Italy: By these our Apostolick Writings we command all of you, that ye " severally cause to be written in the Registers, the Constitutions made by us, with the " Additions, Modifications, and Declarations made by the said* Alexander *our Pre- " decessor, and that they shall never be erased from thence; and that ye proceed ac- " cording to them, without any Omission, against every Heresy that exalts it self " against this holy Church. Otherwise we command by our Letters our beloved Sons " the Predicant and Minor Friars, Inquisitors of heretical Pravity, and every of " them, deputed through* Italy *by Authority of the Apostolick See, and hereafter to " be deputed, that within a certain limited Time, they compel every one of you thus " to do, under the Penalty of Excommunication against your Persons, and Interdict " against your Country, without any Benefit of Appeal.*

1. " *We ordain, that the Magistrate, Head Officer, or Governor, or Consuls, or " whoever preside over the City, or shall be substituted in the Room of others, for a " Time only, either now, or for the future in* Italy, *shall swear that he will precisely, " and without any Delay, inviolably attend to and observe, and cause to be observed " the whole Time of his Government, by all as well in the Country as the City, and " in all Places subject to his Jurisdiction, all and singular the under written Constitu- " tions, and take an Oath from all that shall succeed them in the Power or Govern- " ment, concerning these Things, that they will precisely observe them. And if any one " refuses this, let him in no manner be owned for a Magistrate, Head Officer, or Go- " vernor, or Ruler; and whatsoever he doth as Magistrate or Head Officer, or Con- " sul, or Ruler, let it have no Validity; and let no one be obliged or bound to attend " on them, even though he shall have taken an Oath to obey them.*

2. " *We ordain also by a perpetual Edict, that the Magistrate, or Consuls and Ru- " lers, whatever be their Offices, shall publickly swear that they will defend the " Faith, that they will study in Sincerity, and with all their Might, to exterminate " from the Places subject to their Jurisdiction, all Persons marked out for Hereticks by " the Church; so that whosoever for the future shall be taken into any perpetual Ma- " gistracy, shall be altogether and wholly obliged to confirm this by Oath, otherwise let " them not be acknowledged for Magistrates, Consuls, or the like, and let all their " Sentences be invalid and null by our Decree.*

3. " *Also the same Magistrate, Head Officer, Consul, Ruler, and all others taken into " the Government of any City or Place, shall in the Beginning of their Government, " in a publick Assembly, according to Custom, put under the Ban of such City and " Place, as though it were for the worst of Crimes, all Hereticks of both Sex, and " whatsoever be their Names, and they shall be obliged to confirm such Ban pronounced " by their Predecessors. Let them also command that no Heretick, Man or Woman, " shall any longer dwell, or stay, or subsist in such City, or any Place of the said Ju- " risdiction or District.*

* *Antianis.* They are in *Genoa* and other Towns of *Italy*, Patricians and Nobles, superior to others in Age, unto City and Honour, and are therefore themselves Magistrates. *Du Fresne in voce.*

" *Far-*

"Farther, we farther order and notify, that the Predicant Friars deputed against "Hereticks for the Affair of the Faith, in the Parts of our Empire, and all others "also who shall come to judge Hereticks, unless any of them be proscribed by the Em- "pire, shall be received under the special Protection of our Empire, in going, staying "and returning, and that they shall remain without Injury, under the Pro- "tection and Recommendation of the Faithful of the Empire. We command every one "of you, that ye receive them kindly, whensoever and to whomsoever of you they "shall come, and that ye give them Counsel, safe Conduct and Assistance, in per- "forming such acceptable Services before God. Whatsoever Hereticks also they shall "discover to you in your Jurisdiction, let them be apprehended and kept in safe "Custody, till by Judgment of Ecclesiastical Condemnation, they shall undergo the "Punishment they deserve. 4.

"Farther, let the Magistrate or Ruler, or he who hath the principal Government, "be obliged to chuse one of his Assessors, and send him to the Diocesan if present, and "the Inquisitors or Inquisitor, deputed by Authority of the Apostolick See, to go with "them, as often as they please, within the Jurisdiction of such City, Place or Di- "strict; which Assessor shall force three or more Persons of good Report, according as "the aforesaid Inquisitors or Inquisitor shall think fit, or the whole Neighbourhood, if "they judge proper, to take an Oath, that if they know of any Hereticks there, or of "their Effects, or of any Persons that keep private Conventicles, or differing in Life "and Manners from the common Conversation of the Faithful, or of any Believers, "Defenders, Receivers, or Favourers of Hereticks, they shall endeavour to discover "them to the said Inquisitors or Inquisitor. 5.

"Also the Magistrates, Consuls, Ruler, and all who are at the Head of Affairs, "shall be obliged to purge from heretical Pravity the City or Place where they preside, "and the whole Country or District subject to their Jurisdiction, according to the Laws "published against heretical Pravity at Padua, *by* Frederick, *heretofore Emperor "of the* Romans, *then persisting in his Devotion to the* Roman *Church, and shall "cause them to be registred in their Records, never to be rased out.* 6.

"But if the temporal Lord being required and admonished by the Church, shall "neglect to purge his Dominions from heretical Pravity, for the Space of a Year, af- "ter the Time of Admonition, we expose his Country to be seized by the Catholicks, who "upon the Extermination of Hereticks, shall possess it without any Contradiction, and "preserve it in the Purity of the Faith, reserving the Right of the principal Lord, "provided he gives no Hindrance, nor creates any Obstacle to this Affair. Let the "same Law be observed, with respect to such as have no principal Lords. 7.

"Farther, let the Magistrate, Head Officer, Consul, or Ruler, or any other de- "puted to such Government, be obliged to cause such Hereticks, when apprehended, "to be carried, at the publick Expence, any where within the Jurisdiction or Di- "strict of the Diocesan, Bishop, or City, or Place, wheresoever the Diocesan, or his "Vicar, or Inquisitors, or Inquisitor aforesaid shall order them. 8.

"Farther, let such Magistrate, Head Officer, Consul or Ruler, or others, be obliged "to order such heretical Men or Women, when apprehended, to be kept at the com- "mon Expence of such Place where they preside, by Catholick Men chosen to this Of- "fice by the Diocesan, if present, or by the Inquisitors or Inquisitor, in some special 9.

"*Jail, safe and secure, in which they shall be by themselves, separate from Robbers*
"*and Outlaws, till it shall be determined concerning them.*

10. "*Farther, let such Magistrate, Head Officer, Consul or Ruler, or others such, be obliged to bring, with a sufficient and secure Guard, all Hereticks, of whatsoever Name, within twelve Days after they are taken, before the Diocesan, or his spiritual Vicar, or the Inquisitors of Hereticks, or Inquisitor, to form an Examination of them and their Heresy.*

11. "*Moreover, let the Magistrate, Head Officer, Consuls, or others such, be obliged to compel all Hereticks they have apprehended, without Loss of Members, or Danger of Death, as real Thieves and Murtherers of Souls, and Stealers of the Sacraments of God, and the Christian Faith, expresly to confess their Errors, and accuse other Hereticks whom they know, and to discover their Effects, their Believers, Receivers and Defenders, by the same Means as the Thieves and Robbers of temporal Things are compelled to accuse their Complices, and confess the Crimes they have committed. And when they are condemned for Heresy by the Diocesan or his Vicar, or by the Inquisitors or Inquisitor, the Governor, Head Officer, or any of the other above named, or his or their special Deputy, shall be obliged to receive them as soon as they are delivered over to them, and punish them with the deserved Punishment.*

12. "*Farthermore, the Magistrate, Head Officer, Consul or Ruler, or any other chief Officer of a City or Place, shall be obliged to write down in four Libels of the same Tenour, the Names of all those who shall be defamed or rendred infamous, or put under the Ban for Heresy, one of which shall be given to the Community of such City, or Place, another to the Diocesan, another to the Predicants, and another to the Minors. And they shall cause their Names to be solemnly called over in publick Assembly three times in a Year.*

13. "*Farther, let the chief Magistrate of a City, or Ruler of any Place, under what Character soever, be obliged effectually to execute these Things, the pulling down the Houses of Hereticks, the causing them to be condemned, the delivering and dividing their Effects, found and seized, of which we have spoken before, within ten Days after the Accusation or Injunction made, and to demand the Fines they are condemned to, to be paid down, and to divide their Effects, according to what is hereafter contained.*

14. "*Moreover, let the chief Magistrate or Officers be obliged to appoint one of their Assessors, whomsoever the Diocesan, or his Vicar, and the said Inquisitors or Inquisitor of Hereticks shall chuse, faithfully to perform these Things, and to change them for any Time if they think proper. Nor let any Condemnations or Penalties, which shall be incurred on the Account of Heresy, be ever remitted by any Means, or upon any Account, neither by Word, Counsel, or at the Desire of the People.*

15. "*Furthermore, let the chief Magistrate, Head Officer, Consul, or any other Person in Authority, be obliged to divide all the Effects of Hereticks and their Receivers, which shall be seized or found by the said Officials, and the Fines to which they shall be condemned for them, as also the Timbers, Stones, and Tiles of the Houses, and Castles, which shall be destroyed upon the Account of Heresy, and all the Effects, movable and immovable, which shall be confiscated upon the same Occa-*

" *sion, in such manner, that the first Part shall be distributed for the common Use of*
" *such City or Place; the second in Favour and for the Assistance of the Office, and*
" *be given to the Officials who shall have performed these Affairs; and let the third*
" *Part be deposited in some safe Place, to be reserved by the said Diocesan and Inqui-*
" *sitors, or Inquisitor, as they think fit, and to be expended by their Advice in Favour*
" *of the Faith, and for the Extirpation of Hereticks, any Statute made, or to be made*
" *to the contrary notwithstanding.*

" *Farther, let the chief Magistrate or Ruler of any City or Place, be obliged faith-* 16.
" *fully to sell, with the Advice and Consent of the Inquisitors or Inquisitor, all Goods*
" *confiscated upon account of heretical Pravity, within three Months after such Con-*
" *fiscations: If he doth not do it, let him thereby incur the aforesaid Penalties; and*
" *let the Inquisitors or Inquisitor nevertheless have free Liberty to sell them, with the*
" *Advice of the Diocesan, or of his Vicar, if he be absent, and of two Friars Predi-*
" *cants, and as many Friars Minor, whom the Prior and Guardian, if there be a*
" *Convent there of the said Orders, shall think proper to be chosen, and let the Buyers*
" *of such Effects freely and lawfully have and possess them, and let the real Property*
" *of them be transferred to them upon their buying them.*

" *But if any one shall otherwise attempt to destroy, diminish, or change any* 17.
" *Thing in these Statutes and Constitutions, without the special Authority of the Apo-*
" *stolick See, let the chief Magistrate, or Consul, or any other Officer, who shall be*
" *for any Time in such City, or their Deputies, declare him perpetually publickly in-*
" *famous, according to the prescribed Form, as a publick Defender and Favourer of*
" *Hereticks, and punish him with a Fine of Fifty Imperial Pounds of Money, which,*
" *if he cannot recover, let him put him under the Bann of common Malefactors, and*
" *never release him from it, but upon Payment of double such Sum.*

" *Moreover, let the chief Magistrate, or Head Officer, or Consul, or any other* 18.
" *Magistrate, of any City and Place, be obliged to destroy or erase wholly out of the*
" *Statutes and Records any Statutes made or to be made, that shall be found to con-*
" *tradict these Constitutions, or by any Manner of Means to oppose the mentioned Sta-*
" *tutes and Laws: And let them in the Beginning and Middle of their Government,*
" *cause these Statutes, Constitutions and Laws, to be solemnly rehearsed in publick As-*
" *sembly, and in all other Places without their City, as shall seem fit to the Dio-*
" *cesan, or the Inquisitors, or Inquisitor.*

" *Moreover, let all these Statutes, or before mentioned Constitutions, and Laws, and* 19.
" *any other that shall be made at any Time by Authority of the Apostolick See, against*
" *Hereticks and their Accomplices, be written down in Four Volumes, each of them ex-*
" *actly the same, and let one of them be placed in the Statute Office of every City or*
" *Place, the second deliver'd to the Diocesan, the third to the Friars Predicants, the*
" *fourth to the Friars Minors, to be carefully kept, that they may not suffer by any*
" *Forgery any Alteration in any Thing whatsoever.*

" *Farther, let the chief Magistrate or Head Officer, Consul, or any other Ma-* 20.
" *gistrate, be obliged, within twelve Days of his Government, to examine the*
" *chief Magistrate, Head Officer, Consul, or Ruler, whom he immediately*
" *succeeds, and his Assessors also, by three Catholick and faithful Men, to*
" *be chosen within three Days of the aforesaid Government, by the Friars Predi-*
" *cants and Minors, such as shall be appointed by their respective Prior and Guar-*

" *dian, together with the Diocesan, or by the Inquisitors or Inquisitor of heretical* " *Pravity, concerning all Things contained in the said Statutes, or Constitutions, and* " *Laws, against Hereticks and their Complices, and to punish them if they have been* " *faulty, for all and singular Matters which they have omitted, and force them to* " *make Satisfaction out of their own Estates, notwithstanding they shall have been* " *absolved from such Examination by any License of Counsel, or any other Person* " *whatsoever. And the aforesaid three Persons shall sincerely sware that they will* " *examine the before mentioned Persons concerning the before recited Matters.*

Boniface VIII. touches upon all these Things, saying briefly, " *That the* " *Affair of the Inquisition against heretical Pravity may go on prosperously in our* " *Times, to the Glory of God, and the Encrease of the Faith, we approve and com-* " *mand to be observed certain Laws promulgated by* Frederick, *formerly Emperor of* " *the* Romans, *then persisting in his Devotion to the Church of* Rome, *as far as* " *they promote the Honour of God, and of his holy Church, and tend to the Extirpa-* " *tion of Hereticks, and are not contrary to the canonical Statutes. Likewise we re-* " *quire and admonish all chief Magistrates and temporal Lords, and the Governors* " *of Provinces, Countries, Cities, and other Places, of whatsoever Dignities, Of-* " *fices or Names, as they desire to be reputed and accounted faithful, that they do* " *obey the Bishops of the Diocese, and the Inquisitors of heretical Pravity deputed, or* " *hereafter to be deputed by the Apostolick See, for the Defence of the Faith, and that* " *when required by them they do endeavour to search out, to apprehend and keep in* " *safe Custody the Believers of Hereticks, their Favourers, Receivers and Defenders,* " *and that they carry or cause to be carried, without Delay, the aforesaid pestilent* " *Persons into the Power or Jail of the before mentioned Inquisitors, or to any Place* " *where they or any of them shall command, within their Dominion, Power or Di-* " *strict, where they shall be kept in strict and safe Custody by Catholick Men deputed* " *by the aforesaid Bishops, or Inquisitors, or any one of their Deputies, till their* " *Affair shall be determined by the Judgment of the Church: And that the aforesaid* " *chief Magistrates, and temporal Lords or Governors, or their Officials or Deputies,* " *do immediately receive such as are condemned for Heresy by the Bishop of the Dio-* " *cese, or Inquisitor or Inquisitors, and when delivered to them, punish them with the* " *deserved Punishment, notwithstanding the Appeals or Complaints of the aforesaid* " *Children of Wickedness, since, according to the Appointment of our Predecessors,* " *as well as by the Imperial Law, the Benefit of Appeal and Complaint is expresly* " *denied to Hereticks, their Believers, Receivers, Favourers and Defenders.*

21. " *We also more strictly forbid the abovesaid chief Magistrates, temporal Lords and* " *Governors, and their Officials, to take any manner of Cognizance, or to judge con-* " *cerning this Crime, since it is meerly Ecclesiastical, or by their Leave and Com-* " *mand to deliver out of Prison any Persons apprehended for the said Crimes, with-* " *out the Leave and Command of the said Bishops or Inquisitors, or at least one of* " *them, or to refuse to perform or fulfil Execution for such Crime appointed by the* " *Diocesan, or Inquisitors or Inquisitor, as is agreeable to their Office, or that* " *they otherwise presume directly or indirectly, to hinder any Judgment, Sentence, or* " *Process of the Diocesan or Inquisitors.*

22. " *We moreover ordain, that the chief Magistrate, Head Officer, Governor or* " *Consuls, or any other presiding over any City or Place, now or hereafter, shall,*

" *at*

" *at the Command of the Diocesan, or his Vicars, or the Inquisitors of heretical Pravity, swear precisely to regard, inviolably to observe, and cause to be observed by their Subjects, during the whole Time of their Government, in all the Countries subject to their Jurisdiction and Government, the Constitutions published, and approved by the Apostolick See against Hereticks, their Believers, Receivers, Favourers and Defenders, their Children and Grandchildren: And whosoever refuses to swear to observe them is infamous, and shall be deprived of the Honour and Office of his Government, as a Favourer of Hereticks, and suspected concerning the Faith; and let him not be accounted as a chief Magistrate, Head Officer, Consul, or Governor, or ever be raised to any publick Dignity or Office. And let whatever he doth as chief Magistrate, Consul, or Governor, have no Validity.* But *Clement*, in his Constitutions, saith thus: " *If any chief Magistrate, Head Officer, or any of the before-named, shall refuse and neglect to observe these Constitutions, and every Thing contained in them; besides the Mark of Perjury, and the Hazard of perpetual Infamy, let him forfeit two hundred Marks, which shall be exacted of him without Remission, and converted to the publick Use of the Place where he governs; and yet nevertheless he shall be deprived of the Honour and Office of his Government, as a perjured and infamous Person, and as a Favourer of Hereticks, and suspected concerning the Faith, and never more be any where accounted as a chief Magistrate, Head Officer, Consul, or Governor, nor ever after promoted to any publick Dignity or Office whatsoever.* *Boniface*, in 6 Decret. says thus: *But if any one of the aforesaid chief Magistrates, temporal Lords, Governors, or their Officials, or others, shall act contrary to the aforesaid, or shall presume to oppose himself in the aforesaid Affair of the Faith to the aforesaid Diocesan, Bishop, or Inquisitors, or any ways to hinder him: As also every one who shall knowingly give them Assistance, Counsel, or Favour in the aforesaid, let him know that he shall be pierced thro' with the Sword of Excommunication, which, if he endures for a Year with an obstinate Mind, he shall from thence be condemned for an Heretick.*

All these Constitutions wholly subject the secular Magistrate to the Inquisitors, who bid them draw their Sword at their Pleasure, and readily execute their Commands with a blind Obedience.

CHAP. XIII.

Of the Privileges of the INQUISITORS.

AS we have briefly described the Offices of all the Ministers of the Inquisition, it remains now that we treat more fully and distinctly of the Inquisitors, who are the Chief of all. We will therefore give an Account of their Privileges and Power.

The Privileges of the Inquisitors are many and great, which the Popes of *Rome* have granted them with a liberal Hand, that they may more chearfully perform

perform their Duty, and vigorously execute the Laws made against Hereticks.

Rymer. p. 3. Q. 21. *Urban* IV. by a Bull, beginning, *Ne Inquisitionis negotium*, grants the Inquisitors, *That no Delegate of the Apostolick See, or Sub-delegate under him, no Conservator, or Executor deputed by the said Apostolick See, or hereafter to be deputed, shall be able to publish the Sentence of Excommunication, Suspension or Interdict against them, or their four Notaries or Writers faithfully obeying them in these Matters, whilst they shall be engaged in the Prosecution of this Affair, without the special Command of the aforesaid See, making full and express Mention of this Indulgence*; and he decrees *every Thing done contrary hereto to be null and void*. This Privilege is granted them, that the Causes of Religion may not be forsaken or hindred by the Excommunication of the Inquisitors, and other Ministers of the Office, and Hereticks in the mean while go unpunished by such Hindrances of their Judges.

He hath granted the same also by a special Privilege to the Inquisitors of the Orders of Predicants and Minors, that they may not be hindred by their Superiors in the Causes of Faith. *If it should so happen that the Master and Minister General, and other Priors and Ministers Provincial, and Keepers and Guardians of other Places of your Order, shall, under Pretence of certain Privileges or Indulgences of the same Apostolick See granted to the said Orders, or hereafter to be granted, enjoin, or in any manner command you, or any one or more of you, that you supersede this Affair for a Time, or as to certain Articles, or certain Persons; we by our Apostolick Authority do strictly probibit you, and all and singular of you, that ye do not presume in this, or by any Means whatsoever, to obey and submit to them. For we, by the Tenor of these present, do revoke all such Privileges or Indulgences, as far as relates to this Article, and do wholly pronounce null and void all Sentences of Excommunication, Interdict and Suspension, if it shall so happen that they have been pronounced against you, or any of you, upon this Occasion. For if the aforesaid See doth sometimes give Commission, under a certain Form, by its Letters to any Prelates of your Orders, that they shall be able to take certain Friars of their Orders to execute the Office of the Inquisition against heretical Pravity, and to remove them when they think expedient, and to substitute others, yet by this there is no Faculty, Jurisdiction or Power granted them in this Affair, immediately committed, or to be committed to you by the aforesaid See, because the only Reason why such Commission in such Part is granted them is, that they are presumed to have a more full Knowledge of the Fitness of the Friars of their own Order.*

Rymer. p. 3. Q. 22. 'Tis also granted to the Inquisitors in Favour of the Faith, that when they cannot, without Loss of Time, and Danger to the Affair, have Recourse to their Superiors, who, in such Places may lawfully execute Justice, they may require the temporal Lords, and their Officials, though excommunicated, to afford them their Assistance and Favour, according to their Office, without incurring themselves the Penalty of Excommunication: per cap. *Præsidentes* de hæret. l. 6. *Though they require such excommunicated Persons, they shall not therefore incur the Sentence of Excommunication.* Agreeable to this, although the Acts

Pegna, Com. 71. of Tyrants are in Law void and null, yet in Favour of the Faith, if a Tyrant,

rant, or any other unjust Lord, by Command of the Inquisitors, doth any Thing against Hereticks, 'tis valid.

The Inquisitors only, and not the Ordinaries, can publish Edicts against Hereticks. Thus lately a certain Edict, published by Command of the Ordinary, during the Time of Lent, was revoked. But we shall speak more of this in the fifteenth Chapter. Likewise the Inquisitors only, and no others, can absolve from Excommunication for Heresy contracted, by Virtue of a Jubilee, or Letters of the Apostolick See, and even from the Sentence of Excommunication, which the Pope himself pronounces against them at the Festival of the Sacrament. Royas, *p.* 2. §. 425. §. 416.

The Inquisitors can excommunicate, suspend, and interdict. How grievous this their Excommunication is, shall be also related, Chap. XV. They can also command any Presbyter with Cure or without, to publish monitory Letters made by him, and denounce before the People the Persons excommunicated by them. And if he refuses to do it, they may punish such Presbyter, not only with a Censure, but with some other Punishment. Pegna, *Lucern. Inq. in voce Excommunicatus.*

Persons under Excommunication or Interdict by the Inquisitor, can't be absolved by the Ordinary, or any other Person, without the Command of the Pope, except in the Article of Death. *Lucern. in voce Inquis. hær. prav.*

The Inquisitors may apprehend Hereticks, though they fly to Churches; nor can the Bishops hinder them from this under any Pretence. As *John* XXII. hath decreed by a Constitution, beginning, *Ex parte vestra.* Ibid. *in voce Excommunicatus.*

The Inquisitor may prohibit the secular Judge from proceeding against any Person upon Account of any Processes made by the Inquisitor himself, or upon Occasion of any Confession made before such Inquisitor. See cap. *Tuam.* de ordi. cogni. Carena, *p.* 1. *t.* 5. *n.* 96.

Whosoever by himself or others shall kill, or beat, or strike any one of the Inquisitors or Officials of the holy Office, he is to be delivered over to the secular Court without any Charge of Irregularity, according to the Grant of Pope *Leo* X. dated at *Florence*, *Jan.* 28, 1515. The aforesaid Grant is now extended to those who damage the Effects of the Inquisitors, or Officials, by the proper Motion of *Pius* V. dated at *Rome* 1569. *Lucern. in voce Index.* Royas, *p.* 2. §. 419.

Likewise the Inquisitors receive the entire Fruits of their Benefices, together with the daily Distributions, when absent; as appears in the Letters of *Paul* III. and *Pius* V. which are in the first Volume of the Letters of this Inquisition in *Valentia*, *fol.* 308. 420.

The Pensions reserved by the Apostolick Authority to the holy Office, are free from the Payment of the fifteenth, as the supreme Congregation of the holy Office hath declared, *Jan.* 4, 1622. for the Inquisitor at *Pavia* against the Chapter of the Metropolitan Church at *Milan*. The Pope hath also often declared that the Benefices united to the Inquisitions are free from Payment of the Tenths. Carena, *p.* 1. *t.* 5. *n.* 97.

They are also free from all real and personal Offices, and even from the Law of the Generality, by a special Royal Privilege, which is also extended to some of the Officials, as is more fully contained in the said first Volume, *fol.* 288. 421.

Lodg-

424. Lodgings, Provisions, and other Necessaries, are to be provided for the Inquisitors and their Officials at a just Price, according to the Tenor of the Privilege of Queen *Joan*.

440. The Inquisitors may make Statutes against Hereticks, and encrease the Punishments against them.

They may also carry Witnesses above two Days Journey.

Eymer. *p.* 3. *qu.* 13. Farther, *Urban* IV. hath granted another Privilege to the Inquisitors, that they may absolve themselves and their Assistants, and dispense with themselves as to their Irregularity. *That you may the more freely promote the Affair of the Faith, we grant you by the Authority of these present, that if it should happen that you, and the Friars of your Order, your Assistants, should in any Cases, by human Frailty, incur the Sentence of Excommunication and Irregularity, or remember that you have incureed it; since you cannot easily, on this Account, have Recourse to your Priors, because of the Office enjoin'd you, you may mutually absolve one another upon these Accounts, according to the Form of the Church, and by our Authority may dispense with your selves, in Cases in which the said Priors can do it by Grant of the Apostolick See.* They can likewise absolve their Servants and Familiars from Excommunication for apprehending any one upon Account of their Office, as *Innocent* IV. says in a Bull, beginning, *Devotionis vestræ.*

But there are three Cases in which the Inquisitors cannot mutually absolve themselves. The first is, when they have omitted to proceed against any one they ought to have proceeded against. The second, when they have falsely charged any one with Heresy, or said that they have hindred the holy Office, who in Reality have not. Clement. *de hæret.* cap. *Multorum.* §. *Verum quia.* *But because 'tis very heinous not to act for the Extirpation of the aforesaid Pravity, when such infectious Wickedness requires it; 'tis also very heinous, and most worthy of Condemnation, maliciously to charge innocent Persons with such Pravity. We therefore command the aforesaid Bishop and Inquisitor, and others substituted by them to execute the said Office, in Virtue of their holy Obedience, and under the Threatning of eternal Damnation, that they proceed so discreetly and readily against Persons suspected or defamed for such Pravity, that they do not maliciously or fraudulently, falsely charge any one with so great a Crime, or with hindring them in the Execution of the Office of the Inquisition. But if through Hatred, Favour or Love, or with a View of any temporal Gain or Profit, the Bishop or Superior shall omit to proceed against any one, contrary to Justice and their Conscience, when they ought to proceed upon such Pravity; or with the same View shall charge any one with such Pravity, or hindring the Office, and upon this Account shall by any Means presume to trouble him, besides other Punishments to be inflicted on them according to the Quality of the Fault, such Bishop or Superior shall hereby incur the Sentence of Suspension from his Office for three Years, and others the Sentence of Excommunication. From which Sentence of Excommunication those who incur it, shall not obtain the Benefit of Absolution from any one but the Pope himself, except in the Article of Death, and not then without Satisfaction made, any Privilege whatsoever to the contrary notwithstanding.* But the Inquisitors are not subject to this Penalty, if they omit to proceed through Ignorance, but only when they know they ought to have proceeded, and have then omitted to proceed through Hatred, Favour,

Love, Money or Entreaty, contrary to Juſtice and their own Conſcience; or, on the other Hand, have proceeded when they ought not. The third Caſe is when they have unlawfully extorted Money, under Pretence of their Office, or have confiſcated the Effects of the Church for the Offences of the Clergy. Clement. de hæret. cap. *Nolentes. We alſo do more ſtrictly enjoin all their Commiſſaries whatſoever, as well as thoſe of Biſhops and Chapters, during the Vacancy of the See, deputed for this Affair, that they ſhall not extort Money from any Perſons, by any unlawful Means whatſoever, under Pretence of the Office of the Inquiſition; and that they ſhall not knowingly attempt to confiſcate to the Church the Churches Effects for any Offence of the Clergy. And if any act contrary to theſe Things, or any one of them, we decree that they ſhall be actually excommunicated, from which they ſhall not be abſolved, unleſs in the Article of Death, till they have made full Satisfaction to thoſe from whom they have extorted Money: All Privileges, Agreements, or Remiſſions whatſoever to the contrary notwithſtanding.*

Amongſt the Privileges of the Inquiſitors 'tis not the leaſt, that the Inquiſitor hath Power of granting an Indulgence of twenty or forty Days, as he ſhall ſee fit, to all that are truly penitent, and confeſſed, and who attend on his Sermon made for the Faith, according to the Reſcript of *Innocent*, *Clement*, *Alexander*, and *Urban* IV. *Præ cunctis*. They can alſo releaſe from the Penances enjoin'd them, for three Years, all the Companions and Friars of the Inquiſitor, and alſo his Notaries, who have laboured together with them in the Proſecution of this Affair, and who have, from their Hearts, perſonally afforded Aſſiſtance, Counſel and Favour againſt Hereticks, their Favourers, Receivers and Defenders. And if any of them ſhould happen to die in the Proſecution of this Buſineſs, they grant them full Pardon of all their Sins, for which they are contrite in Heart, and confeſs with their Mouth. *Gregory* IX. plainly declares thus, in his Reſcript, beginning, *Ille humani Generis*, in theſe Words. *Add to theſe Things, In order to their more freely and effectually executing the Office committed to them in all the Premiſſes, we confiding in the Mercy of Almighty God, and in the Authority of the bleſſed* Peter *and* Paul *his Apoſtles, do releaſe for three Years from the Penance enjoin'd them all who ſhall attend on their* (the Inquiſitors) *preaching, twenty Days in their ſeveral Stations; and all thoſe who ſhall, from their Heart afford Aſſiſtance, Counſel and Favour to the ſubduing of Hereticks, and their Favourers, Receivers and Defenders, in their fortified Places and Caſtles, or any other that rebel againſt the Church. And if any ſuch ſhould happen to die in the Proſecution of this Affair, we grant them full Pardon of all their Sins, for which they are contrite in their Heart, and which they confeſs with their Mouths. Pegna* tells us that the Croſs-bearers enjoy this Privilege to this Day, and they are the ſame with the Familiars in *Spain*, who are at the Beck of the Inquiſitors, and execute all Things they order them, to promote this holy Office, the Propagation of the Faith, and the Extirpation of heretical Pravity. But as there are extant the Bulls of five Popes, who every one of them grant theſe three Years of Indulgences, ſome infer from hence, that theſe Years of Indulgences are to be added together, and therefore that Indulgences of fifteen Years are granted to all who promote the Office of the Inquiſition, for every Time and Inſtance. And *Pegna*,

Eymer. 3. part. qu. 127. *Com.* 176.

Com. 178.

Lucern. *Inq. in voc. Indulgentia eorum qui.*

who believed once that the Indulgences of the former Popes were only confirmed by the Bulls of the latter, says there is Reason to add them to one another.

But to the Inquisitors themselves is granted a plenary Indulgence in Life and Death, by a Rescript of *Alexander* IV. beginning, *Firmissime teneat*, in which we read thus: *By the Mercy of Almighty God, and confiding in the Authority of his blessed Apostles,* Peter *and* Paul, *we grant unto you, being truly penitent, and confessed, full Pardon of your Sins.* And by a Rescript of *Urban* IV. and *Clement* IV. beginning, *Præ cunctis. And to you who labour in this Affair, we grant you that Pardon of Sins which was granted in a general Council, to those who succour the holy Land.* This Indulgence was granted by *Innocent* III. in the *Lateran* Council at *Rome*, *Anno* 1215. and runs thus: *In order to recover the holy Land,* &c. *we, trusting in the Mercy of Almighty God, and in the Authority of the blessed Apostles,* Peter *and* Paul, *by that Power of binding and loosing, which God hath conferred upon us, tho' unworthy, do grant to all who undertake this Labour in their own Persons, and at their own proper Expence, full Pardon of all their Sins, for which they shall be truly contrite in Heart, and confess with their Mouths, and do promise them an Encrease of eternal Salvation at the Retribution of the Just. And as to those who shall not go thither in their own Persons, but only shall appoint proper Persons, according to their Ability and Faculty, maintaining them at their own Expences; and as to those also who go thither in their own Persons, tho' at the Expence of others, we grant them full Pardon of all their Sins. We also will and grant, that all shall be Partakers of the same Remission, according to the Nature of their Assistance, and the Affection of their Devotion, who shall agreeably minister of their Substance towards the Relief of the said holy Land, or shall give proper Counsel or Advice in the aforesaid Matters. The holy and universal Synod also doth unanimously bestow the Assistance of their Prayers and Blessings upon all in common, who piously proceed in this Work, that it may worthily profit them to Salvation.*

In verb. *Indulg.* §. *Item. Inquisitores.*

This plenary Indulgence the Repertory of the Inquisition extends so far, as that the Inquisitors shall not only obtain it once in their Lives, but by all perfect Acts whatsoever, that are celebrated against Hereticks, in Favour and to the Praise of the Faith.

CHAP. XIV.

Of the Amplitude *of the* Jurisdiction *of the* Inquisitors.

BEcause the Inquisitors are Judges delegated by the Pope in the Cause of Faith, that all Heresy may be wholly extirpated according to the Pope's Pleasure, Power is given them in Favour of the Faith, of proceeding against all sorts of Persons whatsoever. Few only are excepted. The Inquisitor can't proceed against the Officials and Legates of the Apostolick See, nor against Bishops; but he may give Notice of their Crimes to the Apostolick See. *Extrav.*

trav. de hæret. c. 3. and *cap. Inquisitores. de hæret. lib.* 6. *John* XXII. ordained the same, when *Matthew de Pontiniano*, a Predicant, Inquisitor of heretical Bzovius, Pravity in the Kingdom of *Sicily*, pronounced Sentence of Excommunication *a.* 1326. against *G. de Baleto*, Archdeacon of *Forli*, and Chaplain to the Pope. But §. 9. *Pius* IV. by an Extravagant, beginning, *Romanus Pontifex*, in the Year 1563. ordained, that the Cardinals Inquisitors General over all Christendom, might proceed against Bishops, and all other Prelates whatsoever, and admonish and cite them, and require their personal Appearance within a certain Term, and that under grievous Penalties; that so when the Process is formed, it may be reported to the most holy Lord, and that the deserved and just Punishment may be published against them.

As to such Religious as were exempt, there was formerly a great Variety *Direct.* about the Power of proceeding against them. For *Alexander* IV. by a cer- *Par.* 3. tain Rescript, beginning, *Ne commissæ vobis*, *Anno* 1260. ordained, that the *Qu.* 28. Inquisitors should proceed, without Distinction, against all manner of reli- *Com.* 77. gious and exempt Persons whatsoever. The same also was ordained by others. But *Pius* II. about the Year 1460. granted to the Vicar of the Order of the Friars Minors, that he should make Inquisition, and punish his own Friars suspected concerning the Faith, or of Heresy. A few Years after *Sixtus* ordained by a golden Bull, beginning, *Sacri Prædicatorum*; which may be seen in the Book of the Privileges of the Predicant Order, *fol.* 163. that the Predicants shall not proceed against the Friars Minors, nor the Minors against the Predicants, in those Places where they exercise the Office of the Inquisition. A few Years after this, *Innocent* VIII. forbid all the Inquisitors to proceed in any Manner, or make Inquisition against the Friars Minors, as appears from the Apostolick Letters written about this Affair, contain'd in a Book entitled, *Fundamentum trium Ordinum beati Francisci*.

But whereas these Immunities were sometimes manifestly dangerous to the Faith, the later Popes have subjected all religious or otherwise exempted Persons, in the Cause of Faith, as formerly, to the Inquisitors of heretical Pravity. Thus *Clement* VII. by a Rescript, beginning, *Cum sicut*; and *Pius* Simanc. IV. by another beginning, *Pastoris æterni*; for which Reason it was declared *tit.* 34. by *Charles* V. Emperor in *Spain*, That the Soldiers of St. *James*, if they §. 32. should happen to be Hereticks, are not exempted from the ordinary Jurisdiction, nor from that of the Inquisitors. The same Rule also is entirely to be observed as to the Soldiers of St. *John*, and as to all others whatsoever.

In some particular Religions, the Order is prescribed, which must be observed in denouncing heretical or suspected Friars; whereby the Prior of the Convent must make the Denunciation to the Provincial, the Provincial to the General, and the General to the Office of the Inquisition. But that this round about Way may be avoided, when this Method cannot be so conveniently observed, the Prior alone may make the Denunciation, or any other in his Room upon his Absence, that the Cause of Faith may not be delay'd.

But although the Inquisitors may thus proceed against all religious and exempt Persons, yet there are some religious against whom private Inquisitors are not easily allow'd to proceed, because of the Prerogative of their Dignity. Such are the Masters General of Orders, of the Predicants, Minors, and the like; and also the Masters General of the Military Religions. When such are to be proceeded against, the proper Way is, first to inform the Inquisitors General, who, upon taking Cognizance of the Cause, must decree what is necessary to be done, unless the Criminal attempts to escape, and their appears Danger in Delay.

Direct. Par. 3. Qu. 29. per cap. Accusatus. § Sacerdotes. Extra. de hæret. Qu. 31.

Farther, the Inquisitor hath Power to proceed against Priests. *Moreover, the Priests and others of the Clergy, who shall be found to hinder the Office of the Inquisition, either by instructing Hereticks and their Believers, when cited, to conceal the Truth, or speak Falsehood, or by endeavouring unlawfully to deliver them, may in such Cases, since 'tis certain they act in Favour of heretical Pravity, be restrained by the Inquisitors, and chastised with deserved Punishment, either by seizing their Persons, or otherwise, as the Fault of the Criminal shall require.*

And finally, they may proceed against all Laicks whatsoever, without Distinction, infected, suspected, or defamed of Heresy, of every Condition, not excepting Princes and Kings. In the latter Case they think it safer, when they proceed against Princes and Nobles that are Hereticks, or suspected of Heresy, to consult the Pope, according to whose Will, and Manner prescrib'd by him, they must proceed against them: Not for that they think any Deference is due to Nobility, which is forfeited by Heresy, but to prevent Scandal. For if the Inquisitors should publickly animadvert, on Nobles, Consuls, and Magistrates, they might easily be hinder'd, especially in suspected Places, and where the Inquisitors are poor and weak.

Moreover, they may proceed against all Persons whatsoever, of every Condition; and whatsoever Privileges they enjoy, if they any ways obstruct the Office of the Inquisition. Thus *Alexander* IV. commands in his Bull, beginning, *Cupientes. Let all Contraveners be punish'd by the Ecclesiastical Censure, without any Regard to their Appeal: Any Privileges or Indulgences whatsoever, granted by the said See, or hereafter to be granted, specially or generally, under whatsoever Expression or Form of Words, to any Persons of whatsoever Condition, Dignity, or Degree, Religion or Order, or to any Communities or Universities of Cities or Places, to the contrary notwithstanding. For by these or any other Privileges or Indulgences, we would not have an Affair of so great Piety obstructed.* The same Pope, in his Bull, beginning, *Ne commissum vobis*, commands, That if the Clergy and Religious do not assist the Inquisitors according to their Office and Power, they may be proceeded against according to the Canonical Sanctions, any Privileges to the contrary notwithstanding.

Cap. ut commissi de hæret. lib. 6.

The Inquisitors may also proceed against those, who have offended in their Province, and remove themselves to another; as also against those, who having offended any where else, are found in their Province. This is determined by the Council of *Narbonne*, cap. 19, 20, 21. *If there be any Criminal or Suspected Persons belonging to your Inquisition, you may freely proceed against them as if present,*

sent, though they are and have been absent, if within a competent Time, peremptorily assigned by you to them, and published in the Churches, they do not take Care to appear, or lawfully excuse themselves. For we judge that all belong to your Inquisition, who have offended within the Bounds of the said Inquisition, or who have, or had any Dwelling there, when the Inquisition was began; or who abide there upon Occasion of any publick or private Office, or shall be found there, though they have not any certain Dwelling, when cited by you, whether you laid them under any Security or not, if you have begun to make any Inquisition against them, or have commanded them to purge themselves: For against such you may and ought to proceed, whether present or absent; unless any other Inquisitors have already began to proceed against them, upon Account of some greater or lesser Fault, committed elsewhere, or because they have an House, or for any other of the aforesaid Reasons. For since the Inquisition, of which God is the Author, is celebrated in different Places, and by different Inquisitors, 'tis safer and better that every Criminal, in whatsoever Places he hath offended, should be subject to one, viz. *to the Inquisitor of such Place, by whom he may have been first apprehended, for any of the aforesaid Causes, without Fraud, and Danger of the Affair of Souls. Nevertheless, let the other Inquisitors make Inquisition as to every Thing they can discover concerning him, and acquaint those Inquisitors with it, to whom the said Criminal is engaged. Thus will you fight as it were as one Man, and shall overcome.* See also *Instruct. Valadolit. A.* 1488. *Cap.* 8.

In like Manner, when they want the Testimony of other Persons, they may cite Witnesses from one Diocese to another, notwithstanding the Constitution of the two Days Journey made in a General Council *. But they say this must be done with Prudence. For Persons of Distinction are not easily to be thus removed; and therefore they must be so dealt with, that it may seem they are rather entreated than compelled. And least they should refuse to submit to the Power of the Inquisitors, they say 'tis more decent and modest for the Judges to wait on them, or at least, to send others to them to receive their Depositions. The same must be observed as to all other illustrious Persons, Nuns, and other honourable Women. But then the Inquisitor must determine what Decency and Modesty must be used towards each of these, and how the Causes of Faith may receive the greatest Advantage, from the Dig-

Direct. Par. 3. *Com.* 123. Simanc. *tit.* 64. §. 13.

* The Form of the Citation is thus:

To all and singular Christians, as well Ecclesiasticks as Laicks of both Sexes, of whatsoever Degree, Order, Condition, Pre-eminence, Dignity, or Authority, the highest not excepted. Know ye, That we, by the Series and Tenor of these Presents, and by our Authority, and by that of the Office we execute here, do Charge and Command, That within twelve Days after the Publication hereof (the first four of which, are to be as the first, and the next four as the second, and the last four as a peremptory and third Canonical Admonition) all that do know or suspect any of Heresy, do come and inform against them, upon Pain of the greater Excommunication *latæ Sententiæ*, which shall be *ipso facto* incurred, and from which they cannot be absolved by any, but by our Lord the Pope, or by us. And we do further Certify, That whosoever, despising the Penalty of this Excommunication, shall forbear to inform us, shall moreover be proceeded against as a *Favourer of Hereticks*. *Geddes* Tracts, *Vol.* I. *p.* 427, 428.

nity, Authority, Honourableness, and other Qualities of the Witnesses. We have a famous Instance how insolently the Inquisitors sometimes abuse this Power, in *Joan*, Daughter of the Emperor *Charles* V. whom they cited before their Tribunal, to interrogate her concerning a certain Person, in some Matters relating to the Faith. The Emperor himself was so afraid of this Power, that he commanded his Daughter not to put off the Affair, but make her Deposition without delay, to avoid the Sentence of Excommunication, as well against others as against himself, if she believed him culpable in the smallest Matter. Upon which the most serene *Joan* gave in immediately her Deposition before *Fernand Valdez*, Archbishop of *Seville*, at that Time Inquisitor General. But if the Bishop or Inquisitor sends for Witnesses from any other Diocese, he is not obliged to send the Process to the Bishop of such Diocese; nor can such Bishop justly demand it. On the contrary, he is obliged and bound to send the Witnesses, after having read the Letters of the Bishop who requires it, and says he hath Need of this or the other Witness, to give his Testimony in the Cause of Faith. The necessary Witness must therefore be sent, and Care taken, if it can be done, that he may not know that he is called to bear Witness against any one in the Cause of Faith, least he should discover the Affair, and so obstruct it; unless for other Reasons it ought to be done upon full Knowledge of the Probity and Fidelity of the Witness.

Lud. Par. de Orig. S. Inquis. l. 3. q. 5. n. 23, &c. & n. 40.

In this Age the *Spanish* Inquisition endeavoured, under a specious Pretence, to extend its Jurisdiction over the Subjects of other Kings. According to the Conventions and Treaties between the Kings of *England* and *Spain*, the *English*, who the *Spaniards* call Hereticks, were allow'd, upon the Account of Commerce and Trade, to dwell in the Countries of the Catholicks, upon this Condition, That they should not be molested for any Matters relating to Religion and Faith, unless they gave publick Offence; in which Case they were to be punish'd in Proportion to the Scandal given, according to Law. *Antonius de Sousa*, Counsellor of the Tribunal of the supreme Inquisition in *Portugal*, enquires when the Inquisitors may proceed against them, and gives many Limitations concerning such Hereticks, as they call them, whereby he subjects them entirely to the Power of the Inquisitors.

Aphor Inq. l. 1. c. 31.

"And first, he asserts, that the Condition that Hereticks shall not be interrogated concerning the Faith, unless upon Account of Scandal, is of no Validity, if it is only supported by the King's Authority; but the Inquisitors have full Power to proceed against them according to Law: Because Lay Jurisdiction doth not extend to Matters Ecclesiastical, and relating to the Faith. And therefore, unless that Condition be confirmed by the Pope, the Inquisitors may proceed against any Person, as soon as ever it appears that he is an Heretick, whether he discovers his Heresy in their District, or in any other; because an Heretick sins every where, and therefore may be taken and punish'd any where. In this Case, if such Heretick hath received Instruction, he may be compelled to keep the Faith; if he hath not been instructed, he may be oblig'd to receive it; and if he refuses to accept it, he may be punish'd as an Heretick.

"But

"But if this Condition should be approv'd by the Pope, the Inquisitors "may proceed against Hereticks giving Scandal, and punish them according "to the Nature of it. And first, he says 'tis probable, that the Inquisitors "may interrogate concerning the Faith, and oblige Hereticks that give "Scandal, to receive Instruction, or if instructed, to forsake their Heresy: "Because the Condition ceases by the Offence, and the Obstruction is remov'd, "and the foresaid Hereticks remain within the Bounds of the Law. But that "the Inquisitors may proceed thus far, they ought fully to prove that Here-"ticks have given Scandal; since the giving this is the Condition that confers "Jurisdiction. He thinks it however more probable, that when the Scandal is "prov'd, the Inquisitors can punish such Hereticks only for Scandal, and not "for Heresy; because this seems to be excepted by Virtue of the Condition "which the Pope hath approved. So that the Offence of Scandal gives no "Jurisdiction over any other Offence that is excepted.

"As to Scandal, he saith, That any one who gives it, not only in *Spain*, "but to any Catholick on the *Spanish* Sea, may be punished as well as if he "had given it by Land; but not if it was given in his own Country, or "elsewhere without the Bounds of *Spain*.

"But if any of the aforesaid Hereticks shall be accused to the Inquisitors for "any foreign heretical Act, before such Treaty of Commerce, and after-"wards comes to *Spain*, notwithstanding such Treaty, he may be apprehend-"ed, and obliged to receive the Faith. For the Inquisitors, by the preceed-"ing Denunciation, have acquired a Power against such Hereticks, which "Power is not taken away by the Treaty of Commerce. If any one removes "his Dwelling from *Spain* into *England*, to escape the Judgment of the Inqui-"sitors, although he should not be accused before, but after the Treaty, of "an heretical Act committed before it, he cannot enjoy any Benefit by it, "because he ought not to be countenanced in his Fraud.

"As to the Sorts of Scandal for which such an Heretick may be punish'd, "they are these, *viz.* If by Reasons, Persuasions, or any other Way, he en-"deavours to persuade any Catholick to embrace his Sect, or any Error "against the Faith, or to turn him aside from the Catholick Doctrine or "Purity of Faith; if he profanes the Sacraments, or doth any Injury to "them, or to holy Images, if he doth not rise in Presence of the Host, or "covers his Head before it, with other Things of the like Nature.

"The Punishment of such Persons upon these Accounts is arbitrary, greater "or less, according to the Nature of the Scandal. If it be very heinous, they "may be turned over to the secular Court. They may not be forced to "make that Abjuration, which, according to Law, is enjoyn'd to Hereticks "or suspected Persons; because even suspected Persons are not judged for He-"resy only, nor do they return to the Catholick Faith. But they may be "obliged to swear, that as long as they remain in that Kingdom, or in any "Places subject to it, they will not commit any Fault whatsoever against "the Catholick Faith.

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One may easily infer from this Doctrine of *Sousa*, what the Subjects of *Great Britain*, and other Kingdoms and States must expect, if all Things are to be done according to the Pleasure of the Inquisitors, and how little Safety they will find by such Treaties against the Violence of the Inquisitors, unless they are protected by the Authority of their King, against these their vile and unrighteous Practices. [Of this we have a noble Instance given us by *Oliver Cromwel*, Protector of *England*. *Thomas Maynard*, Consul of the *English* Nation at *Lisbon*, was thrown into the Prison of the Inquisition, under Pretence that he had said or done something against the *Roman* Religion. *M. Meadows*, who was then Resident, and took Care of the *English* Affairs at *Lisbon*, advised *Cromwel* of the Affair; and after having received an Express from him, went to the King of *Portugal*, and in the Name of *Cromwel*, demanded the Liberty of Consul *Maynard*. The King told him, 'twas not in his Power, that the Consul was detained by the Inquisition, over which he had no Authority. The Resident sent this Answer to *Cromwel*, and having soon after received new Instructions from him, had again Audience of the King, and told him, That since his Majesty had declared he had no Power over the Inquisition, he was commanded by *Cromwel*, to declare War against the Inquisition. This unexpected Declaration so terrified the King and the Inquisition, that they immediately determined to free the Consul from Prison; and immediately opened the Prison Doors, and gave him Leave to go out. The Consul refused to accept a private Dismission, but in order to repair the Honour of his Character, demanded to be honourably brought forth by the Inquisition. The same *Maynard* continu'd many Years after under the same Character, in the Reigns of *Charles* and *James* II. and liv'd at *Lisbon* till he was about eighty Years old, without any Molestation from the Inquisition. This Story was well known to all foreign Merchants, who lived at that Time, and many Years after at *Lisbon*.]

CHAP. XV.

Of the Power of the INQUISITORS.

Direct. Par. 3. *Qu.* 32. cap. *Abolendam.* §. *Statuimus*, de hæret.

THAT the Inquisitor may discharge his Duty without any Hindrance, Power is given him to compel the Governors of Cities to sware that they will defend the Church against Hereticks. *We ordain moreover, that the Earls, Barons, Governors and Consuls of Cities and other Places, shall take their corporal Oath at the Admonition of the Bishop, and swear that they will faithfully, effectually and sincerely assist the Church, according to their Office and utmost Power, against Hereticks and their Accomplices, when required by the Bishops: And if they refuse to do this, let them be deprived of that Honour which they possess, and never be raised to any other. Let them farther be excommunicated, and their*

Countries

Countries put under the Interdict of the Church. If any City ſhall think fit to oppoſe theſe Injunctions, or neglect to puniſh thoſe who do, at the Admonition of the Biſhop, let their Commerce with other Cities be cut off, and let them know that they are deprived of the Epiſcopal Dignity. We ordain moreover, that the Chief Magiſtrate, Head Officer, Ruler or Conſuls, or any others who preſide over any City or other Place, either now, or who ſhall preſide over it hereafter, ſhall, at the Command of the Dioceſan, or his Vicars, or the Inquiſitors of heretical Pravity, ſware that they will preciſely regard, and inviolably obſerve, and cauſe to be obſerved by their Subjects, during the whole Time of their Government, in the Countries ſubject to their Juriſdiction or Government, the Conſtitutions promulgated and approved by the Apoſtolick See, againſt Hereticks, their Believers, Receivers, Favourers and Defenders, and againſt their Children and Grand-children. And whoſoever will not ſware, and obſerve them, let him be deprived of the Office and Honour of his Government, as infamous, and as a Favourer of Hereticks, and ſuſpected concerning the Faith; and let him no longer be accounted as a Chief Magiſtrate, Head Officer, Conſul or Ruler in any Place, nor ever after be advanced to any Dignity or publick Office. And whatever he doth as Chief Magiſtrate, Ballive, Conſul or Ruler, let it be null and void. Cap. *Ut Officium.* §. *Statuimus,* de hæret. lib. 6.

To this there is another Oath annexed, *viz.* to extirpate with all their Power, from their Countries, thoſe who are noted for Hereticks by the Church, which the Inquiſitor may compel all temporal Lords, having perpetual or temporal Juriſdiction, to take. *Let all ſecular Powers, whatever be their Offices, be admoniſhed and perſuaded, and, if it be neceſſary, compelled by the Church, that as they deſire to be accounted and held as faithful, they publickly take an Oath for Defence of the Faith, that they will endeavour with all their Might, in good Faith to root out of all Countries ſubject to their Juriſdiction, all Perſons declared Hereticks by the Church. And at the Time that any Perſon is advanced to any perpetual or temporary Dignity, let him be obliged to confirm this Article by an Oath.* Thus alſo the Council of *Biterre*, cap. 32. *Let the Earls, Barons, Rulers, Conſuls and Ballives of Cities, and other Places, ſwear, that they will faithfully and effectually, when required by them, aſſiſt the Church againſt Hereticks and their Accomplices, according to their Office, and the utmoſt of their Power; and that they will in good Faith endeavour with all their Might, to exterminate out of all Countries ſubject to their Juriſdiction, all Perſons declared Hereticks by the Church.* Thus alſo the Council of *Tholouſe*. *We forbid alſo the Prelates, Barons, Gentlemen, and all Perſons of Eſtates, to give the Stewardſhip and Management of their Lands to Hereticks and their Believers. Neither let them preſume to have or keep in their Family or their Counſel, ſuch Perſons, nor any defamed for Hereſy, or who they believe to be ſuſpected of it.* And finally the Council of *Biterre* commands, that *Hereticks ſhall not be entruſted with Stewardſhips, or Adminiſtrations, nor ſuffered to be in the Counſels or Families of the Great.* *Pegna* remarks here, that in the 6th Council of *Toledo*, held 686. there is a Paſſage concerning the Kings of *Spain*, *That when they come to the Kingdom, they ſhall not aſcend the Royal Throne, till amongſt other Stipulations by Oath, they have promiſed that they will not ſuffer any Perſons who are not Catholicks to remain in their Kingdom.* *This*, ſays he, *I wiſh was every where recalled into Uſe, and inviolably maintained.* *Qu.* 33. Cap. *Excommunicamus itaque,* de hæret. §. *Moneantur.* Par. 3. Com. 4. Cap. 16. Cap. 28. Cap. 3.

The

Q. 33. Cap. *Statutum*, de hæret. l. 6.

The Inquisitors may also compel the temporal Lords to revoke all Statutes that hinder the Office of the Inquisition. *Let not any Statute of any City, Castle, Town, or other Place, by which the Affair of the Inquisition of heretical Pravity is directly or indirectly hindred, or any ways retarded, so that ye cannot freely proceed therein, be of any Force whatsoever. And we decree, that the Lord, chief Magistrate, Head Officer, Consuls or Rulers of such City and Place, by whom the said City or Place is governed, under whatsoever Name, shall be compelled by Ecclesiastical Censure, to discover such Statute to the Diocesan of the Place, or his Vicars, or the Inquisitor, or Inquisitors of heretical Pravity, without Delay. And if it shall be found such, let it be entirely repealed, or at least so far moderated, that the Processes of the Inquisition be not hindred thereby, or in any wise retarded.*

P. 3. Com. 1. Cap. *Ut Inquisitionis*, de hæret. lib. 6.

Farther, the secular Magistrates are expresly commanded to seize and keep in Custody Hereticks at the Inquisitors Demand, and to carry them wheresoever they order. *That the Affair of the Inquisition against Hereticks may go on prosperously in our Times, to the Glory of God, and the Encrease of the Faith, we approve and order to be observed certain Laws published by* Frederick, *formerly Emperor of the* Romans, *then remaining in his Devotion to the Church of* Rome, *as far as they promote the Honour of God, and his holy Church. We therefore require and admonish all secular Magistrates and temporal Lords, and the Governors of Provinces, Lands, Cities, and other Places, by whatsoever Dignities, Offices or Names they may be distinguished, that as they desire to be esteemed and held as faithful, they obey the Diocesan Bishops, and Inquisitors of heretical Pravity, deputed, or hereafter to be deputed by the Apostolick See, in all Things relating to the Defence of the Faith; and that when required by them, they endeavour to seize, and keep in safe Custody Hereticks, their Believers, Favourers, Receivers, and Defenders; and that without Delay they carry or order to be carried the aforesaid Persons into the Power or Jail of the Bishops, or the said Inquisitors, or to any other Place which they or any of them shall command within the Power of the said Lords, or the District of such Rulers, where they shall be kept in close and safe Custody by Catholick Persons, deputed by the aforesaid Bishops, or Inquisitors, or any one of them, till their Affair is determined by the Judgment of the Church.* The Law of the Emperor *Frederick* here referred to, begins, *Commissi vobis*; the third Section of which is this: *Farthermore, whatsoever Hereticks shall be found in Cities, Towns, or other Places of the Empire, by the Inquisitors deputed by the Apostolick See, and other Orthodox Persons, zealous for the Faith, let such as have Authority there, be obliged to apprehend them at the Notice of the Inquisitors, and other Catholick Persons, and when apprehended, to keep them in strict Custody, till being condemned by Ecclesiastical Censure, they perish by an accursed Death, who have condemned the Sacraments of Faith and Life.* Thus also *Innocent* IV. by a Rescript, beginning, *Ad extirpanda*, commands, *Let every Magistrate or Ruler, cause the said Hereticks, when taken, to be carried, at the Expence of the Place where he presides, wheresoever the Diocesan or his Vicars shall order, within the Jurisdiction or District of such Diocesan, Bishop, City, or Place.* And that these Words relate to the Inquisitors also, the Beginning and whole Substance of that Rescript shews, which *Clement* IV. hath also declared by another Rescript, beginning, *Ad extirpanda.*

And

And finally, the Emperor *Frederick* hath commanded by the same Law, all Governors, as well Ecclesiastical as Secular, kindly to receive the Inquisitors, and defend them against the Incursions of Hereticks, §. 10. *We hereby declare, that we take under our special and Imperial Protection the preaching Friars of the Predicant Order, deputed for the Affair of the Faith against Hereticks in the several Parts of our Empire; as also all others sent for, and who come to judge Hereticks, unless any of them be proscribed by the Empire, where-ever they go, abide, or return; and 'tis our Pleasure that they receive no Offence from any, but that they receive the Assistance, and have the Recommendation of all the Faithful of the Empire. We therefore command you, and all of you, that wheresoever, and to whomsoever of you they come, ye receive them kindly, and preserve their Persons free from the Incursions of Hereticks that lie in wait for them, and that ye grant them all Counsel, safe Conduct, and Assistance, in their Execution of Affairs so acceptable before God.*

The Inquisitors may also exact an Oath from the Magistrates, for their observing not only the Laws of the Emperor *Frederick* against Hereticks, but all other Statutes as well Ecclesiastical as Secular, as appears from two Rescripts of *Innocent* IV. beginning, *Orthodoxæ fidei.* The same hath been particularly decreed by the Council of *Biterre*, cap. 31. *And that by the Help of the Lord Heresy may be the better and more speedily extirpated, and the Faith planted in the Earth, see that the Statutes and Laws made concerning these Things by the Apostolick See, and its Legates, and the Princes, be most exactly observed.* *Com.* 3.

As there are many Difficulties that daily arise in the Punishment of Hereticks, and the Causes of Faith, which are not fully and plainly determined by the Laws, for this Reason, and to prevent the Necessity of consulting the Pope in all doubtful Cases, *Innocent* IV. by a Rescript, beginning, *Cum negotium:* and *Alexander* IV. by another, beginning, *Præ cunctis*, gave to the Inquisitors free Power of interpreting the Ecclesiastical and Secular Statutes against Hereticks, their Believers, Favourers, *&c.* as often as there appears in them any Thing ambiguous or obscure. This is certainly a very large Power, which the *Seville* Instructions have also granted to the Inquisitors. *Inst.* 1. *cap.* 28. *Direct. part.* 3. *qu.* 85. *com.* 12.

Simancas observes here, "That smaller Matters only, and such as 'tis impossible to bring within the Laws, are left to the Determination of the Inquisitors, and that they cannot of themselves decide Matters of greater Moment, which the Laws have not, but that they must consult the Inquisitor General and Senate about them. He adds, that even as to those Things which are left to themselves, they must not judge according to their own Will and Pleasure, but conformable to the Statutes and Laws; nor follow their own Conscience, unless it be entirely informed by the Laws." *Tit.* 34. §. 34, 35.

[*Paramus* is of the same Mind with *Simancas*, altho', as he says, "The Words of the *Seville* Instruction, *cap.* 28. seem to imply the contrary. For thus they order. *It must be left to the Pleasure and Prudence of the Inquisitors, to proceed according to the Disposition of the Law, in those Things which are not expresly declared, and according to their own Conscience.* However, *Paramus* *Lib.* 2. *tit.* 2. *cap.* 4. *n.* 3, 4, *&c.*

" thinks, that if these Words are strictly examined, they will import no-
" thing more, than that those Causes of the Faith, which are left to the Plea-
" sure of the Inquisitors, must be judged and decided according to the San-
" ctions of the Laws. And thus the Judges must satisfy their Conscien-
" ces, because the Words of the Instructions, as of all other Statutes, re-
" ceive their Interpretation according to the common Law. Now, accord-
" ing to the Disposition of the Law, the Judge must form his Judgment,
" not according to his Conscience, but according to the Allegations and
" Proofs. *From which this is inferred, that tho' the Judge certainly knows in his*
" *Conscience, that the Person accused is not guilty of the Crime, yet if he be convicted*
" *by Proofs against him, the Judge ought, and without Sin may condemn him.* How-
" ever, *Paramus* believes it to be safer, and more agreeable to Religion, for
" the Judge, in such a Case, to excuse himself from acting, and to desire of
" his Prince that the Cause may be delegated to some other, or he may thus
" delegate it to another himself.] But *Camillus Campegius* thinks, that all
" Things, which the Laws have not so clearly determined, are left to the In-
" quisitors Declaration or Interpretation; that whatever Things are obscure
" and ambiguous, may be expounded and declared by the Inquisitor; and
" that therefore whatever is not determined by the Law is committed to the
" Pleasure of the Judge." *Sousa* gives a yet larger Power to the Inquisitors,
and allows not only that they can interpret what the Laws and Statutes have
not, if any Thing doubtful occurs, but that " when there are severally equal-
" ly probable Opinions in any Case, they may follow which they will, and
" when there is no Scandal, judge sometimes according to one, and sometimes
" to another. He adds, that 'tis more likely, that the Inquisitor cannot fol-
" low the less probable Opinion, unless it happens to be more established
" by Custom, and he knows that the Sentence will be repealed by the su-
" pream Council."

In Zanch. c. 17.

Aphor. Inq. l. 2. c. 1. §. 11, 12.

Qu. 56. 'Tis also further granted to the Inquisitors, ever since the Beginning of the delegated Inquisition, that for the Defence of their Person and Family, and the better to apprehend Hereticks, their Receivers, Favourers, *&c.* they may have their Officials, and an armed Attendance, and bear Arms themselves. But because it often happens, that Abuses creep in under the Pretence of Privilege, unless such Privilege be wisely used, *Clement* V. in the Council of *Vienne*, about the Year 1310. confirmed this Privilege to the Inquisitors, but took away the Abuse that had crept in. Cap. *Nolentes* in Clement. §. *porro. Moreover, we strictly forbid the Inquisitors, in any manner to abuse their Privilege of wearing Arms, and to have any other Officials but such as are necessary to help them in the Execution of their Office.* And this Privilege is so peculiar to the Inquisitors in Favour of the Faith, and from the Hatred of heretical Pravity, that their Officials, who in *Italy* are called *Cross-bearers*, and in *Spain Familiars*, and who are commanded by the Holy Office to denounce or apprehend Hereticks, or to wait on the Inquisitor whenever he commands it, may carry Arms either by Night or by Day, any civil or municipal Law made, or to be made, to the contrary notwithstanding. If indeed any one should make a

Com. 105.

Law

Law to prohibit the Officials of the Inquisitors to wear Arms, he might be punished as an Hinderer of the Holy Office. If the Inquisitors own Servants are not sufficient, he may call in the Aid of the secular Arm. *Finally, that you and every one of you may have immediate and inviolable Power of apprehending Persons concerning the aforesaid, we will, that in order to the more usefully executing all these Things, you may, when there is Need, call in the Assistance of the secular Arm, and put all Contraveners under Ecclesiastical Censure, without Benefit of Appeal.* *Qu.* 57. *c. ut officium.* §. *denique.*

The Inquisitors may also punish those, who presume to injure them in Word or Deed; and so much the rather, because they think that their Office ought to be esteemed more holy and venerable than that of all other Judges whatsoever. Simanc. *tit.* 34. §. 28.

They may compel any Witness, even tho' a Person of Distinction, to appear before them, and to give Evidence in a Cause of the Catholick Faith. But this is so explained by *Campegius*, "As that the Inquisitor can only compel "the Witness to give his Evidence, when it doth not expose him to any "imminent Danger; if it doth, he cannot be compelled. The Judge may "also force them to appear, by forming a Process against them, that they "refuse to appear and bear Witness, because corrupted by the Criminal "with Money, which obliges them to be forth coming, least they should "be falsely condemned. If any refuse to appear, the Judge may cite them, "and proceed against them; and if they dont't then appear, he will treat "them as actually corrupted. He may farther punish them for Contumacy "with Confiscation of their Effects." These are the different Opinions of the Doctors, as alledged by *Campegius*. *In* Zanch *cap.* 13. *d*

Besides this the Inquisitors may compel the Witnesses to give Evidence, by threatning them with a Fine, or taking Pledges from them, by Excommunication and Torture. *Carena* tells us, that in the supream Inquisition at *Rome*, a certain Person was forced by Torture to take the Oath which he refused. Caren. *part.* 3. *tit.* 7. §. 1. *n.* 7.

If the Advocates or Notaries give any Assistance or Help to Hereticks, or their Favourers, the Inquisitors must proceed against them. *Since a special Injunction is usually more regarded than a general Command, we strictly forbid you Advocates and Notaries from granting in any Instance your Help, Counsel or Favour to Hereticks, their Believers, Favourers or Defenders, and from giving them your Assistance in Causes or Facts, or to any who make any Disputes under their Examination, and from drawing for them in any wise publick Instruments or Writings; which if any one shall presume to do, he shall be suspended from his Office, and be subject to perpetual Infamy.* cap. *si adversus nos.* de hæret. *Direct.* *Qu.* 39.

They have Power also to command those who have Processes, or any other Instruments drawn against Hereticks, to deliver them to them. *We grant you also the Power of causing all Persons to deliver to you the Books, or Registers, and other Writings in which the Inquisitions and Processes against Hereticks, carried on by any by the Authority of the Apostolick See, or its Legates, are contained. Alexander* IV. ordained the same by a Rescript, beginning, *Cupientes*, sent to the *Predicant* Friars, Inquisitors of heretical Pravity in *Lombardy*, and the Marquisate of *Genoa*: *Desiring that the Affair of the Inquisition against heretical* Cap. *Ut commissi vobis.* de hæret. l. 6. *Com.* 88.

Pravity, committed to your Care, may happily prosper in your Hands, to the Glory of God, and Increase of the Catholick Faith, we by Authority of these present, grant to you, and every one of you, the Power of compelling by the Ecclesiastical Censure, either by your selves, or by others, whom you or any one of you shall judge proper for this Business, all those who have, or have had any Writings or Instruments of the Inquisition, or belonging to this Office, made hitherto by any, or to be made, against Hereticks, their Believers, Receivers, Favourers or Defenders, to deliver them to you, or some one of you, without any Difficulty or Danger of Delay, without allowing them any Benefit of Appeal.

From this Rescript they infer, that the Criminal, in a Cause of Heresy, is obliged to deliver the proper Instruments against himself to the Fiscal, from which he may gather his Intention, and form his Accusation; although regularly the contrary is determined by Law; and not only against himself, but against every other Person the Fiscal proceeds against; which though it doth not take place in other Cases, yet doth in Favour of the Faith. So that if *Titius* is apprehended for Heresy, and delivers an heretical Book, or the like, to *Sempronius*, *Sempronius* is to be compelled to produce it not only against himself, but against *Titius* too. And what in this Case is said of Books and Writings, extends to all other Things which may help to find out the Truth, which are to be all given in, in Favour of the Faith.

Calder. *de modo proced. cont. hæret. f.* 411.

Excommunication also is a Branch of the Inquisitorial Power, which they have a very ample Power of inflicting, because their Excommunication is more heavy than that of others, and that in a fourfold Respect. First, because whoever are excommunicated by them, must be put under the Ban by a publick Edict and Proclamation. Secondly, their Effects must be confiscated, and the Inquisitors may compel the Magistrates and Governors to both. This appears from a certain Privilege of *Innocent* IV. beginning, *Cum Fratres Prædicatores*; in which he writes to the Barons, and other Lords, and Governors, and Cities, saying, *We have thought it meet to beseech, exhort and admonish all of you, and strictly charge you, by our Apostolick Writings, and command that all those who shall be excommunicated, and declared publickly to be excommunicated, by the said Inquisitors, or others at their Command, for the Crime of Heresy, or for defending, receiving, or favouring Hereticks, be put under the publick Ban, and have all their Effects confiscated.* Thirdly, because such who are excommunicated by the Inquisitors, and persist with an obstinate Mind for the Space of a Year under Excommunication, must be judged as Hereticks, and become subject to the Punishments published against Hereticks. As appears from the Law of the Emperor *Frederick*, beginning, *Patarenorum*; and from many other Laws. Fourthly, because they can excommunicate with the greater Excommunication all who partake with Persons excommunicated by them, such as Hereticks, their Believers, Favourers, Receivers and Defenders, according to the Bulls of *Innocent* and *Alexander* IV. beginning, *Noverit universitas vestra. But if any shall contemptuously refuse to avoid such Persons, after being marked out by the Church, let them be excommunicated, and otherwise punished with due Severity.*

They

They have also Authority to excommunicate Lay Persons disputing concerning the Faith, publickly or privately; as also all who do not discover Hereticks either by themselves or some other Person, as appears from these Letters of the Popes.

Farther, the Power of the Inquisitors was formerly very great, because they could reserve to themselves the Authority of encreasing or lessening the enjoined Penances. *We also grant you Power, when you shall think it proper, to mitigate or change, in Concert with the Prelates, to whose Jurisdiction they are subject, the Punishment of those, who are shut up in Prison or Jayl, if they humbly obey your Commands.* The Inquisitors may also encrease the Penances enjoined to such who are converted upon account of their Indevotion, Wickedness, or Quarrelling, *i. e.* if they don't bear their Imprisonment with Patience, or if there be any other Tokens, that they don't in all Things obey the Beck of the Inquisitors. This the Council of *Narbonne* hath ordered the Inquisitors to take Care of. Cap. 7. *This Restriction always carefully observed, that it shall be lawful for you, or other Inquisitors, or those to whom the Church of* Rome *shall think fit to commit this Affair, or those to whose Office it belongs, at any time, and for every reasonable Cause, to add to, or take from the Penances enjoined them, according to your Will and Pleasure.* Yea, this Power was given to the Inquisitors by the Council of *Biterre*, *Cap.* 22. even though there should be no fresh Reason for it. *You shall always retain this Power, of sending the aforesaid Hereticks to Jayl, without any new Cause, when you shall judge it expedient for the Affair of the Faith.* Hence we find, that in the Book of the Sentences of the *Tholouse* Inquisition, the Inquisitors ordinarily reserve this Power to themselves. When they shew Grace to condemned Persons, and release them from wearing their Crosses, and enjoin them other Penances in the room of this, such as Pilgrimages, visiting of Churches, and the like, they add; *Reserving to our selves and Successors in this Office, the Power of adding to, lessening, and commuting in all the aforesaid, and of enjoining them to wear their Crosses, if it shall seem good to us and our Successors, even without any fresh Cause.* When they bring them out of Jayl, and change the Punishment of Imprisonment into that of wearing the Cross, or any others, they add; *Reserving to us, and every one of us, and our Successors in the Office of the Inquisition, full Power over the aforesaid Persons, and every one of them, of bringing them back, and recalling to the aforesaid Prison, even without any fresh Cause; as also of encreasing or lessening, mitigating, or remitting in the aforesaid, if it shall seem convenient, to us, or any one of us, or our Successors.* Nor do they reserve this Power to themselves only in conferring Graces, but even in the pronouncing Sentences. Thus this Caution is ordinarily subjoined to those Sentences, by which Prisoners are condemned to wear Crosses. *Reserving to our selves and our Successors in this Office, the Power of encreasing, diminishing, mitigating, commuting, or even of remitting the aforesaid Penance or Punishment.* But when they condemn any one to Imprisonment, they subjoin a larger Caution, and more fully expressed. *We reserve to our selves, and to our Successors in this Office, full and free Power of mitigating, diminishing, encreasing, commuting, or even of remitting the aforesaid Penance or Punishment; as also of pas-*

Cap. *Ut commissi.* de hæret. lib. 6.

fol. 85. *b.*

fol. 100.

sing other Sentences upon any one or more of the aforesaid, if they shall be found maliciously to have suppressed any Things concerning the Fact of Heresy, or to have involved any innocent Person in the said Crime of Heresy. Even though they should have forgot to have added this Caution to their Sentences, the Doctors however think, that the Inquisitor hath and may exercise the Power of encreasing, diminishing, remitting and commuting the enjoined Penances. *Per Cap.* Ut commissi. *de hæret. lib. 6.*

Royas, *Assert.* 48. *part.* 2.

But now this Power is not granted to the Inquisitors in *Spain*. For this kind of Dispensation belongs at this Day there, only to the Inquisitor General, because the Inquisitors and Ordinaries have already discharged their Office. *Instruct. Hispal. cap.* 7. and *Tolet. cap.* 9. *Hist. Concil. Trid.* l. 6. p. 550.

CHAP. XVI.

Of the POWER *of the* INQUISITORS *in prohibiting* BOOKS.

THAT this may be more distinctly explained, and that it may be known what and how great the Power is which is committed to the Inquisitors, concerning the Prohibition of Books; I shall give you an Account of this Affair from the very Rise and Origin of it.

The first of whom we read, who prohibited Books of Religion, was *Antiochus Epiphanes*, whose Servants are said to *have rent in Pieces the Books of the Law, which they found, and to have burnt them with Fire; and to have put to Death every one with whom was found the Book of the Testament, or who consented to the Law,* 1 Maccab. i. 56, 57. *Dioclesian* was the next, that most cruel Persecutor of the Christian Faith; of whom *Eusebius* relates, that by an Edict, he commanded *the sacred Books to be burnt with Fire.* Yea, he adds in the same Chapter; *We saw with our Eyes the sacred Books of the divine Scriptures burnt in the publick Forum.* Farther, the Presidents in every Province, City, Town and Village, took Care that the Christians should deliver up their sacred Books, and they compelled them to it by most grievous Torments. Hence all those were called *Traditores*, Deliverers up of the Scripture, who terrified by such cruel Punishments, delivered up the Books which they had.

l. 8. *c.* 2.

Baron, *a.* 302. *n.* 22.

The Christians themselves afterwards brought into the Church this Custom of raging against the Books of Hereticks, as they call them, as well as against their Persons, which was first derived from the Heathens, when the Empire fell into the Hands of Christian Emperors. *Constantine*, after the Conclusion of the Synod of *Nice*, commanded the Books of *Arius*, condemned by it, to be burnt under the Penalty of Death. *Theodosius* and *Valentinian* decreed the same concerning *Nestorius*, his Followers and Books, l. *damnato. c.* de

Socrates, *Ec. Hist* *l.* 1. *c.* 6.

de hæret. *Valentinian* and *Martian* concerning *Eutyches* and his Books. l *quicun.* §. *Nulli.* and *Omnes.* c. de hæret. *Justinian* ordained the cutting off the Hand of those who wrote out the Books of *Antimus*, condemned in the fifth Synod. And 'tis worth Observation what *Brunus* says concerning Hereticks and Schismaticks; *That it appears to have been a most ancient Custom of the Church, that when Heresies were condemned, their Writings should be destroyed, from hence; that of all the Heresies, which for a long Time continued in the Church, the Books containing them are now no where extant, and the Opinions of most of them would have been altogether unknown, unless the Remembrance of them had been preserved in the Writings of the holy Fathers, who endeavoured to confute them.* *l. 6. c. 6. §. 2.*

All these Laws against the Books of Hereticks were made by Emperors who had the legislative Power in their Empire. [" But after the Year " 800, the Popes of *Rome* usurped to themselves many Branches of the ci- " vil Government, forbidding the Reading of Books, and commanding " them to be burnt, after they had condemned the Authors of them; but till " this very Age, there are but very few Books found, that are prohibited " after this Manner: At least, the universal Prohibition of reading Books, " containing heretical Doctrine, or suspected of Heresy, under the Penalty " of Excommunication, without any other preceding Sentence, had not yet " grown into Practice."] But after that the Pope had arrogated to himself the Judgment of the Faith, and order'd himself to be acknowledged the infallible Judge of all Controversies of the Faith, he also assumed to himself all Judgment concerning Books, and the Power of prohibiting them. From this Claim of Power have sprung those expurgatory Indexes, by which, not only the Books of such Authors as are condemned by the Church of *Rome* are prohibited, but the Writings of all, even of the greatest *Romanists* themselves, are subjected to a Censure; and whatsoever is found in them contrary to the Opinions of the *Roman* Church, or not altogether agreeable to them, is marked with a †, and commanded to be blotted out; and every Place is so carefully noted, that no one can be ignorant, what Words are to be erased. So that if the Popes Command, as contained in that Index, is to be oberved; we shall read no Books as written by the Authors, nor have their Sense, but only that of the Court of *Rome*. [" Pope *Martin* V. by his Bull " excommunicated all Sects of Hereticks, but especially the *Wicklefists* and " *Hussites*; but without any Mention of those who read their Books, altho' " they were in the Hands of a great many. But *Leo* X. having condemned " *Luther*, forbid also all his Books to be read under Pain of Excommuni- " cation. The Popes after him, by the Bull, *In cæna*, condemned and ex- " communicated all Hereticks, and therein devoted also to the same Curses, " all those who read their Books. And in other Bulls, against Hereticks in " general, did thunder out the same terrible Sentences against the Readers " of those Books. This occasioned a very great Confusion: For as the " Names of the Hereticks who were condemned were not published, Per- " sons were to judge of the Books, rather from the Nature of the Do-

Hist. Con. Trid. l. 6. p. 55.

Hist. Con. Trid. l. 6. p. 551.

" ctrines

" ctrines than the Names of the Authors. And as different Persons judged
" differently concerning these, the Consciences of Men were troubled with
" innumerable Scruples. Those Inquisitors of heretical Pravity who were
" more diligent, made Catalogues of such Authors as they knew; but as
" they had not compared them with each other, the same Difficulty still
" remained.

But that no one might be at a Loss for the future, what Books the Pope had prohibited the reading of, by his Bull, it was necessary to make an Index of the prohibited Books. The *Roman* Authors differ amongst themselves who order'd the first Index to be made. Father *Paul* tells us, that *Philip*, King of *Spain*, first endeavour'd to prevent this Confusion, by giving a more convenient Form, and by a Law, made 1558. order'd, That the Catalogue of Books, prohibited by the Inquisitors of *Spain*, should be printed. After his Example, *Paul* IV. commanded at *Rome*, That those who were at the Head of the Office of the Inquisition, should make such an Index, and print it, which was shortly after done, *Anno* 1559. But *Gretser* says, that the Index of prohibited Books was printed in *Italy*, by the Papal Authority, *An.* 1548. And a larger one, *An.* 1552. Another larger one yet, *An.* 1554. Another, *An.* 1559. by Pope *Paul* V. much larger than the others. But whether the Pope, or *Philip* King of *Spain* first ordered such an Index to be made, 'tis certain that *Paul* IV. published one, *An.* 1559. "In this they went many

Hist. Con. Trid. ibid.

De jure prohib. lib. l. 1. *c.* 19.

Hist. Con. Trid. p. 552.

" Steps farther than in former Ages; and laid the Foundations of maintain-
" ing and greatly enlarging the Authority of the Court of *Rome*; depriving
" Men of that Knowledge which is necessary to every one's defending him-
" self from their unjust Usurpations: For till this Time the Prohibition of
" Books never extended to any but those of Hereticks; neither were any Books
" forbidden to be read, unless the Author had been first condemned. But
" this Index was divided into three Parts. The first contains the Names of
" those, all whose Works, whatever be the Argument, even though pro-
" phane, are absolutely forbidden. And in this List are placed, not only
" such who have professed a Doctrine contrary to the *Roman*, but many of
" those also, who have lived and died in the Communion of the Church of
" *Rome*. In the second are contained the Names of those Books which have
" been severally condemn'd; other Books of the same Authors not being in
" the least prohibited. The third Part contains certain anonymous Writers,
" with the Addition of a general Clause, by which all Books are prohibi-
" ted, which have not the Names of their Authors, from the Year 1519.
" Under this, many Authors and Books are condemned, which all learned
" Men in the Church of *Rome* have been conversant in, for one, two and
" three hundred Years past, with the Knowledge of, and without any Con-
" tradiction from the Popes of *Rome*, during all that Time. Amongst the
" modern Books, some were condemned that were printed in *Italy*, and even
" at *Rome*, with the Approbation of the Inquisition, and even by the Pope's
" own Bull. Such are the Annotations of *Erasmus* on the *New Testament*,
" approved by *Leo* X. after he had read them over, by a Bull dated at

" *Rome*,

" *Rome, Sept.* 10, 1518. But above all this is remarkable, that under Colour of " Faith and Religion, the Books of such Authors are prohibited and condemn- " ed with the same Severity, in which the Authority of Princes, and the Civil " Magistrate is defended against the unlawful Usurpations of the Ecclesiasticks; " and in which the Power of Councils and Bishops is maintained against the " unjust Encroachments of the Court of *Rome:* And finally, all those which " plainly detect their Hypocrisy and Tyranny, by which, under the Disguise " of Religion, they impose on the People, or persecute them. In a Word, " Religion was never before made subservient, by such an admirable Myste- " ry, to bereave Men of their Senses. Yea, this Inquisition went one Step " farther, and made a Catalogue of sixty two Printers, prohibiting all the " Books they had ever printed, or published, of whatsoever Author, Art, " or Language, and that with an Addition of great Moment, by which they " prohibited at once, all the Books that had been printed by any Printers, " who had ever printed a single Book of Hereticks. So that there scarce re- " mained any one Book to be read. And what added to this Severity of the " Inquisitors was, that the Penalty pronounced against those who read the " Books contained and prohibited in that Catalogue, was that of Excom- " munication, *latæ sententiæ*, reserved to the Pope, the being deprived and " made incapable of Offices and Benefices, perpetual Infamy, and other ar- " bitrary Penalties. *Pius* IV. who succeeded *Paul*, revoked this severe Cen- " sure, and referred this Index, with the whole Affair, to the Council of " *Trent.*

" Amongst the Fathers at *Trent*, there was a great Difference of Opinions " about the making this Index. For some thought that this of *Paul* IV. " was sufficient, as being most perfect in it self; and that if any one should al- " low the Books prohibited in this Catalogue, he would declare that this " Proceeding at *Rome* was imprudent, which would be to take away all Au- " thority from the Index already published, and from the Decree now to be " made; because it was a common Maxim, That new Laws lessen their own " Value, more than they do that of the old ones. *Lewis Beccatellus*, Arch- " bishop of *Ragusi*, said there was no Need of Books, because there was " more than enough of them since the Invention of Printing; and that it was " much better that many Books should be prohibited without Cause, than " that one which deserved Prohibition should be allowed. Others thought " that the Council should take this Affair of the Books into their Considerati- " on, as if there had not been any Prohibition at all before; because that that " which was made by the Inquisitors at *Rome*, was for that Name hateful to " the *Ultramontanes*, and was so very severe, that no Body could observe it. " That there was no juster Reason in the World for repealing a Law, than " that it cannot be observed, or at least, not without great Difficulty; espe- " cially if the Punishment annexed to the Breakers of it was too severe." At Length, the Fathers, after several Debates, not being able to agree, thought fit to refer the whole Affair to the Pope. Upon this, Pope *Pius* IV. as *Clement* VIII. reports, in his Bull, *October* 17, 1595.] took the

Hist. Conc. Trid. p. 553.

Advice of certain Prelates of great Learning and Wisdom, and published an Index of the prohibited Books, and certain Rules, by his Letters, in Form of a Brief. The same *Pius*, in his Bull of *March* 24, 1564. says, That the Index was presented to him by Order of the Synod, that it should not be published before it was approved by him. Wherefore, after it had been examined at his Command, by some of the most learned and approved Prelates, he approved it, together with the Rules put before it, commanding it to be received by all, and the Rules to be observed; adding this strict Charge: *We forbid all and singular, as well Ecclesiastical Persons, secular and regular, of whatsoever Degree, Order and Dignity, as Lay, of whatsoever Honour and Dignity, to read, or dare to have any Books, contrary to the Order of these Rules, or the Prohibition of the said Index. And if any one shall act contrary to those Rules, and that Prohibition, by reading, or having the Books of Hereticks, or the Writings of any Author condemned and prohibited for Heresy, or Suspicion of false Doctrine, he shall,* ipso jure, *incur the Penalty of Excommunication; and for this Reason Inquisition and Process may be made against him, as suspected of Heresy; besides other Penalties in this Case incurred, ordained by the Apostolick Sea, and sacred Canons.* Thus by the Command of *Pius* IV. this Index of prohibited Books came forth, *An.* 1564. "But because it was not received in some Places "and Provinces, because some Books were prohibited by it, which learned "Men could not be deprived the reading of without great Inconvenience; "and because some Things were obscure, and needed Explication, they made "certain Rules, to provide, as well as they could, for the Advantage and "Studies of learned Men, without any detriment to Truth and Religion." Hence *Sixtus* V. order'd it to be enlarged with many Rules; but died before he had brought it to Perfection. *Clement* VIII. commanded it to be retained, and enlarged it, and thus encreased and enlarged, he confirmed it, and the Rules prefixed to it; and commanded it to be published, *An.* 1595. The first of these Rules is this: *All those Books, which either the Popes, or General Councils have condemned, before the Year* 1515. *and which are not in this Index, are to be looked on as really condemned here, even as they were condemned before.* By the fourth Rule, the common reading of the Holy Scripture is forbid, in these Words:

Since it is plain by Experience, that if the sacred Writings are permitted every where, and without Difference, to be read in the Vulgar Tongue, Men, through their Rashness, will receive more Harm than Good; let the Bishop or Inquisitor determine, with the Advice of the Parish Priest or Confessor, to whom to permit the reading of the Bible, translated by Catholick Authors, in the Vulgar Tongue; according as they shall judge whether it be most likely that such reading the Scripture may do harm, or tend to the Encrease of Faith and Piety. Let them also have the same Power as to all other Writings. But if any without such Leave, shall presume to read or have them, without first shewing the Bible to the Ordinaries, he shall not receive the Absolution of his Sins. And as to all Booksellers, who shall sell the Bible translated into the Vulgar Tongue, without such Leave, or by any other Method shall publish them; let them forfeit the Price of the Books, and let the Money be given to pious Uses by the Bishop; and let them be subject to other Punishments at the Pleasure

sure of the said Bishop, according to the Nature of the Offence. As to Regulars they shall not read or buy them, without Leave first had from their Prelates. To this Rule there is added in the Index this Observation. *It must be remarked, concerning this fourth Rule of the Index of Pope* Pius IV. *of blessed Memory, that no new Power is given by this Impression or Edition to the Bishops or Inquisitors, or the Superiors of the Regulars, to grant License of buying, reading and keeping the Bible published in the Vulgar Tongue. Since hitherto, according to the Command and Use of the holy* Roman *and Universal Inquisition, this Power of granting such Licenses to read and keep the Bible, and other Parts of the sacred Scripture, as well of the New as the Old Testament, published in any Vulgar Language, is taken from them; as also all Summaries, and historical Abridgments of the said Bible or Books of the holy Scripture, written in any Vulgar Language whatsoever. And this must be inviolably observed.*

In the tenth Rule there are several Things to be observed about the printing of Books, *viz.* that no Books shall be published at *Rome*, unless first examined by the Vicar of the Pope, and the Master of the holy Palace, or Persons deputed by the Pope. And as to other Places, unless it be approved by the Bishop, or some one deputed by the Bishop, or the Inquisitor of heretical Pravity, and such Approbation subscribed with their Hand. If any publish Manuscript Books without Approbation, they are subject to the same Penalties as the Printers. The Shops of Booksellers are order'd to be often searched, and they themselves are commanded to keep a Catalogue of all the Books they sell, and to keep no other, nor to deliver them upon any Account, without Leave of such as are deputed, under Penalty of losing their Books, and other Punishments to be inflicted at Pleasure of the Bishops and Inquisitors. All Buyers, Readers, or Printers, are also punishable at their Pleasure. If any one brings any Books into a City, he must acquaint the said Deputies with it, and not give or lend them to be read to any Person without shewing the Books to them, and having their Leave.

Finally, in the Instruction given to those who are intrusted with the Care of prohibiting, purging and printing Books, this Oath is ordered to be taken by Printers and Booksellers. *Let Printers and Booksellers promise upon Oath, before the Bishop or Inquisitor, and at* Rome, *before the Master of the Holy Palace, that they will perform their Service in a Catholick, sincere and faithful Manner; and that they will obey the Decrees and Rules of this Index, and the Edicts of the Bishops and Inquisitors, as far as relates to their Arts, and will not knowingly suffer any one to serve under them, who is defiled with heretical Pravity.* Cap. de *Impress. Libros.* §. 6.

After this *Trent* Index was published, *Philip* II. King of *Spain*, commanded another larger one to be printed at *Antwerp*, *An.* 1571. at the House of *Christopher Plantin*, with this Title: *The expurgatory Index of Books, published in this Age, either mixed with Errors contrary to sound Doctrine, or with the Gall of unprofitable and offensive Scandal, according to the Decree of the holy Council of* Trent, *drawn up in the* Netherlands, *by the Command of his Catholick Majesty,* Philip II. *and with the Advice and Assistance of the Duke of* Alva, An. 1571. " This Book was printed by *Plantin*, the King's Printer, and at his Majesty's

" own Charge, not with a Design to be published and dispersed, but to be given only to them, who were appointed to preside over what they call the " Expurgation of suspected Books. There was added a most severe Com" mand of the King; That these Censors should keep this Index very pri" vately, and let no others know of it, nor communicate it to any one what" soever, nor give any Copy of it; but that they should most carefully re" gard this only, to search out, expunge and restore such suspected Places of " Books, as they should think proper to expunge. By this Means this " Book lay concealed for fifteen Years, like certain Mysteries, in the Li" braries of these Censors. But by the singular Direction of Divine Provi" dence, it happened, that about the Year 1586. this Index fell into the " Hands of *Francis Junius*, who made it publick." *John Pappus* gives an Account of this whole Affair, in his Preface to the new Edition of this Index, which he published at *Strasburg*, *An.* 1599.

Besides this, another *Expurgatory Index was published in* Spain, *at the Command of* Gaspar Quiroga, *Cardinal and Archbishop of* Toledo, *Inquisitor General of* Spain, *and with the Advice of the supreme Senate of the holy general Inquisition*, and printed at *Madrid*, by *Alphonsus Gomez*, the King's Printer, *An.* 1584. A Copy of this was, as it were, snatched out of the Fire by the *English*, when they plundered *Cadiz*, and destroy'd every Thing else with Flames, and sent by King *James*, to the most noble Lord *Mornæus Du Plessis*, who caused it to be printed a little after at *Saumur*, keeping the Original himself, to prove the Edition authentick. After this, many other Expurgatory Indexes of Books of all Sorts came out at *Rome* and *Naples*. There was a much larger one, particularly printed in *Spain*, by Order of *Bernard de Sandoval*, Archbishop of *Toledo*, and Inquisitor General, and finally the compleatest of all, by Command of *Anthony a Sotomayor*, supreme President and Inquisitor General in the Kingdom of *Spain*, &c. and published with the Advice of the supreme Senate of the General Inquisition, *An.* 1640. which was reprinted at *Geneva*, *An.* 1667. according to the Copy printed at *Madrid*, in the Printing-house of *Didacus Diaz*. To this there were many Rules prefixed; and to the *Geneva* Edition was added the Index of the Decrees, which were made by the Master of the holy Palace, by Virtue of his Office, or by the Command of the holy Congregation, or by the holy Congregations for the Indexes and holy Office, after the before-mentioned Index of the Council of *Trent*.

As to what concerns the Rules prefixed to this Index, I shall not give any Summary of them, because the Book it self may be easily had in the Shops. The Rules of the former Indexes are explained and confirmed by these. I shall only transcribe out of the fifth Rule, such Things as are added to explain more clearly the fourth Rule of the Index of *Trent*, in which the promiscuous Reading of Books is prohibited.

All Bibles extant in the vulgar Tongue are prohibited, with all Parts of them, either printed or Manuscript, with all Summaries and Abridgments, although historical, of the said Bible, or Books of the holy Scripture, in the vulgar Language or Tongue; not

not including the little Clauses, Sentences, and Heads which are inserted in the Books of Catholick Writers, who cite and explain them. This Caution is also to be observed, that the Book of the Epistles and Gospels, as 'tis called, written in the vulgar Tongue, is comprehended in this Prohibition, although there be sometimes added short Expositions in certain Parts and Gospels; for it is almost all written out of the sacred Text, and therefore prohibited upon account of the Danger of Error, to which the ignorant common People are subject, through a corrupted Understanding, and other Inconveniences that have been found to arise by Experience. And that all Scruples may be avoided, the Reader is to understand which is the vulgar Tongue, and which not. The Hebrew, Greek, Latin, Caldee, Syriack, Ethiopick, Persick *and* Arabick *are not, being those original Languages, which are not now used in common Conversation. All other Languages whatsoever are to be understood to be vulgar.* I have thought proper to add this Rule, Word for Word, that the Tyranny of the Papists, in prohibiting the reading of the holy Scripture, which they endeavour to dissemble, conceal, and by various Pretexts to disguise, may clearly and evidently appear.

From these Things 'tis plain, that the Inquisitors, especially in *Spain*, have *Direct. Inq. Eymer. Com. 22. par. 2.* a very great Power in the Prohibition of Books; because these expurgatory Indexes are made and published by the Command of the Inquisition in the Kingdom of *Spain*. How large this Power is, *Pegna* gives us a full Account. "The Bishops and Inquisitors may condemn and prohibit in their Dioceses all "Books which contain Opinions, expresly condemned by the Church, al-"though written by Authors not condemned by Name, because Things "once condemned may be forbidden with any new Condemnation. Also all "Books suspected of Heresy, whatsoever be the Heresy they are suspected of, "though published by Catholick Authors. For since they may proceed a-"gainst all Persons whatsoever, at least so far as to make Inquisition even for "small, tho' probable, Suspicions of Heresy, he infers from hence, that they "may much more proceed against suspected Books, and prohibit such as contain "suspected Propositions. For, says he, Books are much more likely to do "harm than Men, because those who read them more firmly insist on the "Things contained in them, than those who only hear the Conversations "of others; and farther because Hereticks by teaching can scarce "spread their Doctrine over a single City, whereas Books may be carried "from Place to Place, and infect not only a City, but Kingdoms and Pro-"vinces. Also all Books containing Propositions scandalous, dangerous, er-"roneous, favouring of Heresy, and any ways differing from the Catholick "Faith, and not agreeable to Christian Piety and good Manners. This was "provided for by *Paul* III. in a certain Rescript, beginning, *In Apostolici culminis*. The same is to be said of such Books as contain double, doubtful "or dubious Propositions, which contain a double Sense, one heretical, "the other Catholick. These may be prohibited by the Inquisitors, till such "Propositions are declared in a Catholick Sense. In the Index also of prohi-"bited Books, at the End of the tenth Rule, Power is granted to the Bishops "and Inquisitors General, of prohibiting such Books as may be permitted

"in-

"in these Rules, if they shall think proper to do it in their Kingdoms, Pro-"vinces or Dioceses."

Inquis. Venet. cap. 29. The *Venetian* Senate, as they defend their own Authority against the Inquisition in other Cases, so they would never allow this important Affair to the Power of the Inquisitors. For as Father *Paul* justly observes, they consider, that the main Design of the Ecclesiasticks, is to assume to themselves a Power to prohibit not only Books of Religion, but such as treat of any other Matters whatsoever; and to deprive Princes of the Power of prohibiting in their own Territories any Book, if they have approved it, whatever be the Subject it treats of. The Consequence of which they see would be this, that they cannot prohibit any Book from being brought into their Dominions, and publickly sold, if the Ecclesiasticks approve of it, though it be in it self dangerous to the Commonwealth. For these Reasons they have vigorously endeavoured to reserve this Power to themselves, and not to suffer it to be transferred to the Inquisitors. On this account great Differences arose between the Pope and the Senate, and in the Year 1595. there met the Cardinal Nuncio and the Inquisition on the Pope's Part, and the principal Senators on the Senate's Part, who, after long and continued debating the Affair for four whole Months, at length agreed, that the Power of prohibiting Books in the *Venetian* Territories, should belong to the Senate, and not to the Inquisitors. Of this Agreement only sixty Copies were printed at the earnest Request of the *Romans*, for this Reason, that it should become known but to a few. Whereas on the other hand, innumerable Indexes of prohibited Books, in which the Power of prohibiting them is ascribed only to the Ecclesiasticks, are every where to be found; by which Artifice they design, that this Agreement shall be known only to a few, and may be gradually wholly lost. For which Reason Father *Paul* thinks, that the Senate ought particularly to guard against these Arts.

And indeed the *Romanists* have given Proofs enough, that they claim to themselves only the Prohibition and Approbation of Books, and would entirely deprive the Secular Powers of it, that they may not have the Power of prohibiting Books, which they see dangerous to their Government, and designed to excite Sedition and Rebellion. We have a famous Instance of this in Cardinal *Baronius*, and on the other hand, we have as noble an Instance of the just Vindication of the regal Majesty in the King of *Spain*, though himself subject to the Yoak and Bondage of the Inquisition. *Baronius*, in the Beginning of the Year 1605. published his Eleventh Volume of Ecclesiastical Annals, in which he inserted a long Discourse of the Monarchy of *Sicily*, in which were many Things contrary to the Honour of many of the Kings of *Aragon*, and particularly against King *Ferdinand*, and the other Ancestors of the King of *Sicily*, who then reigned, who also was King of *Spain*. This Book, as soon as it was brought to *Naples* and *Milan*, was prohibited by the King's Ministers, as manifestly injurious to their Sovereign. As soon as the Report of this Prohibition came to *Rome*, *Baronius* called together a Counsel of Cardinals, upon the Vacancy of the See by the Death of *Clement* VIII. and bitterly inveighed against the

A. 1097. §. 19, &c.

the King's Ministers, who, by prohibiting his Book, had presumed to lay hold of the Ecclesiastical Authority. After this, *Paul* V. being created Pope, *June* 13th of the same Year, the Cardinal wrote a long Letter to the King of *Spain*, in which, amongst other Things, he asserts, that it belonged only to the Pope, to approve or disapprove all manner of Books, and especially Ecclesiastical ones; and grievously complains that his Majesty's Ministers had prohibited his Book in *Italy*, to the great Reproach and Contempt of the Ecclesiastical Authority. The King sent the Cardinal no Answer, but privately approved the Edict of his Ministers. In the Year 1607. the Cardinal published his Twelfth Volume of Annals, and could not contain himself, but in an entire Digression reproached, and severely inveighed against this Action of the King's Ministers. *We therefore more strongly inculcate these Things, approved of by the antient Custom of* An. 1186. *the Church, and Authority of the Catholick Faith, because in these most unhappy* §. 29. *Times the King's Ministers have dared to do, what is dreadful to relate, and horri-* §. 84. *ble to act,* viz. *to censure Writings that have been approved by the Pope, so that the Booksellers are not suffered to sell them, without Leave first obtained from them, which sometimes they deny at Pleasure, prohibiting the Sale of them, and thereby manifest to the World that they act contrary to Right and Justice. What else is this, but what 'tis Impiety to say, to wrest one of the Keys given by Christ to* Peter, viz. *the Key of Knowledge, out of the Hands of his Successors, and to suffer it to be usurped by a Lay Hand, and Lay Princes.* The *Spanish* Senate, according to Custom, proceeded slowly, and with mature Advice, and waited three whole Years. But in the Year 1610. the King published an Edict, by which he condemned and prohibited the said Book, and treated the Cardinal in the same manner as he had done him and his Predecessors. And to give that Decree the greater Authority, he commanded it to be published in *Sicily*, by Order of Cardinal *Doria*, who confirmed it by subscribing it with his own Hand; and which was printed, and every where dispersed about and sold. The Court of *Rome* was greatly disturbed at it, and especially because 'twas put in Execution by the Cardinal's Command. However the *Spaniards* would never revoke the Decree.

Thus we see that the King of *Spain* vindicated his Authority, and the Honour of his Ancestors, because the Controversy was about the Right of Empire. But this is the only Instance of this Nature, and which the King could not pass over without injuring his own Majesty. In all other Cases the Power of prohibiting Books is left wholly to the Inquisitors, which, as we have seen, is very large in the Kingdom of *Spain*.

CHAP.

CHAP. XVII.

What the INQUISITORS *can do themselves, and what in Conjunction with the* ORDINARIES.

BEcause the Judgment of Heresy is, as we have seen, committed to the Ordinaries or Bishops, and to the Delegates or Inquisitors, 'tis proper to consider what each can separately do, and what are those Acts in which both must necessarily concur, in order to their being effectual and valid.

Eymer. p. 3. q. 47. The Inquisitor without the Bishop, and the Bishop without the Inquisitor, may cite and arrest, or apprehend and deliver any one to safe Custody, and put them in Irons, if they think proper, and make Inquisition against such as are accused. But neither without the other can deliver any Persons to hard or close Imprisonment, which hath more of the Nature of Punishment than of Custody, or put them to the Torture, or force them in Irons by Hunger to discover the Truth, which is one sort of very grievous Torment, or proceed to Sentence against them. This appears from the *Clementines*. (Cap. *Multorum*. de hæret.) *Therefore to promote the Glory of God, and for the Encrease of the same Faith, and that the Affair of the Inquisition may go on more prosperously, and that the searching out of heretical Pravity may proceed more solemnly, diligently, and cautiously, we decree that it shall be carried on as well by the Diocesan Bishops, as by the Inquisitors deputed by the Apostolick See, laying aside all carnal Love, Hatred and Fear, and every Regard to temporal Interest. So that every one of the aforenamed may without the other cite, arrest or take up, or commit to safe Custody, and also put Criminals into Irons, if they shall think proper. And this we lay upon their Consciences. They may also make Inquisition against them, as they shall think it in this Case most agreeable to God and Justice. But neither the Bishop without the Inquisitor, nor the Inquisitor without the Diocesan Bishop, or his Official, or during the Vacancy of the Episcopal See, such Person as shall be deputed by the Chapter, if they can each of them respectively obtain a Copy, within eight Days after they have given Notice to each other, shall be able to commit any one to hard and close Imprisonment, which looks more like Punishment than Custody, or put them to the Torture, or proceed to Sentence against them. And if any one shall presume to do otherwise, it shall be* ipso jure, *null and void.* In like manner the Inquisitor without the Bishop cannot deprive, nor declare to be deprived of their Benefices and Ecclesiastical Dignities heretical Clergymen, unless it shall legally appear that the Diocesans have conferred such Benefices knowingly upon such Persons; *for we declare that their Consent in such Cases shall not be required, but rather that they should be punished by their Judge.* Decret. 6. de hæret. cap. *Ut commissi*. §. ult. But whatsoever was the antient Law, 'tis now a very plain and clear Case, by the Rescript of *Pius* V. beginning, *Cum ex Apostolatus*, that the Benefices of the heretical Clergy, are vacant from the Day of their committing their Crime, and reserved to the Disposal of the Apostolick See. (Pegna. *Lucern. Inq. in voce Inquisitor.*) From whence it appears that the Inquisitor may declare them deprived of them.

'Tis controverted amongst the Doctors, whether the Bishop without the Inquisitor, or the Inquisitor without the Bishop, can pronounce the Sentence of Absolution. 'Tis the Custom in *Spain*, for the Inquisitors to absolve without the Bishops. But if there is an Abjuration to be made, the Consent of both is necessary, according to the Rescript of *Innocent* IV. beginning, *Tunc potissime. But if any shall wholly abjure heretical Pravity, and will return to the Ecclesiastical Unity, let the Diocesan be consulted, and grant them the Benefit of Absolution, according to the Form of the Church, and enjoin them the usual Penance.* But if such Abjuration or Purgation be made before one of them only, it is to be accounted valid. From hence they draw this Inference; That if any one shall have abjured, as an Heretick, or vehemently suspected, before either one of the aforesaid, and shall afterward be found to have fallen into Heresy, he may be delivered over to the secular Court as a Relapse; and that he cannot defend himself by urging the Nullity or Invalidity of the Abjuration, as having been made only before one of them. *Direct. p. 3. q. 48. Com. 97. Caren. p. 1. tit. 4. §. 11.*

The Bishop and Inquisitor may constitute each other their Vicegerents, in those Cases in which neither can act separately. *But if the Bishop, or the Person delegated by the Chapter during the Vacancy of the See, cannot for the aforesaid Reasons, or will not personally meet with the Inquisitor, or the Inquisitor with either of them; the Bishop, or his Delegate, or the Delegate of the Chapter, during the Vacancy of the See, may appoint the Inquisitor in his Room, and the Inquisitor or his Delegate may thus appoint the Bishop, or signify their Advice and Consent by Letters.* If they will not meet together, the one must require the other; nor can either of them proceed till eight Days after they have thus mutually demanded each others Attendance. Qu. 49. com. 92. Cap. *Multorum.*

The Bishop and the Inquisitor may proceed by a delegated Authority, and then they are equal. When the Bishop proceeds by his ordinary Authority, and the Inquisitor by a delegated one, the Inquisitor is the greater. If the Bishop and Inquisitor cite the same Person before them, to answer concerning the Faith, he must, when cited, appear before both, if the Times of the Citation are different: if they are the same, he must appear before the Inquisitor. For the Inquisitors are specially delegated for the Affairs of the Faith. But in this Case they may oblige each other. But in *Spain* the Inquisitors are always preferred in these Causes, and the Bishop cannot hinder the Process of the Inquisitor. Qu. 5. Simanc. *tit.* 44. §. 13. *Direct. p. 3. qu.* 50.

When the Bishop and Inquisitor differ, they can't proceed to a definitive Sentence, but must refer the whole Cause drawn up to the Pope, or to the supream Tribunal of the Inquisition. In *Spain* this must be done even when they differ in Cases of no great Importance. This is prescribed by the *Madrid* Instruction, An. 1561. cap. 66. *In all Cases where there shall happen a Difference of Opinion between the Inquisitors or Ordinary, or any one of them, in determining a Cause, or in any other Act, or in an interlocutory Sentence, the Cause must be referred to the supream Senate of the Inquisition. But if the Bishop and Inquisitors agree, although the Learned in the Law and the Counsellors differ, even though they may be more in Number, the Sentence of the Bishop and Inquisitors must be executed.* *Com.* 99.

However, in very important Cases, the Sentence of the Inquisitors, Ordinary and Counsellors, though they all agree, shall not be put in Execution, without consulting the Senate, according to Custom and Order.

Qu. 51. When the Bishop and Inquisitor proceed separately, so that there are two Processes carried on for the same Fact, one by the Bishop, and the other by the Inquisitor, they ought to communicate their Processes to one another.

Cap. *per hoc.* §. *verum.* de hæret. l. 6. *But that the said Affair of the Inquisition may proceed better, more effectually and profitably, we grant, that the Bishops and Inquisitors may make Inquisition concerning the same Fact, either together or apart. If they proceed separately, they shall be obliged mutually to communicate the Processes, that hereby the Truth may be the better found out. And unless in this Case the Inquisitors shall think fit to refer the pronouncing Sentence to the Diocesans, or the Diocesans to the Inquisitors, let them both join in passing it. If they cannot agree in pronouncing it, let them draw up a full Account of the Case, and refer it to the Apostolick See.*

Qu. 53. *Ex. eo.* This Communication of the Processes is to be made only once, and that when the Process is finished. By an Extravagant of *Benedict.* XI. which says: *When they both proceed separately, they must at the End of the Process, when nothing remains but only to pronounce Sentence, communicate it to each other. One Case however we except,* viz. *if either of them cannot conveniently proceed, without seeing what the other hath done. In this Case let a Copy of the whole Proceedure be granted, though but one, to prevent any Fraud.*

Garen. *p.* 1. *tit.* 4. §. 21. But in *Spain* and *Portugal* the Inquisitors only form the Processes, and apprehend Criminals in Causes of the Faith, and if the Bishops have any Informations against such Criminals, they must transmit them to the Inquisitors. But it is uncertain whether these *Spanish* Inquisitors claim this by any legal Custom and Prescription, or by the Pope's Privilege.

These are the Things to be observed, when the Ordinary and Inquisitor concur in the Judgment of the Faith. But because oftentimes in *Spain* several Inquisitors are deputed together, it will be proper to consider how far each of them may separately proceed.

Qu. 46. *Com.* 95. As often therefore as it happens that two Inquisitors are constituted in the same Province, they may both together, or each of them separately, proceed against Hereticks throughout the whole Province committed to them, sit in Judgment in any Part of it, and when the Executor is absent create another, because they have entire Jurisdiction. However, a Criminal can be punished only by one of them. But if there be any special Inquisitor deputed against any Person by the Pope, the Inquisitors of Provinces and Dioceses, who, as general Judges, seem to have universal Jurisdiction, at least with respect to Persons, cannot proceed against him, though they have actually began the Process; because their Jurisdiction is suspended by a special Commission granted by the Pope. He who is thus constituted special Inquisitor, may make use of every Thing that hath been done and discovered by the other Inquisitors, whom if it be necessary he may compel to deliver to him all the Processes, Writings, Inquisitions, Depositions of Witnesses, and all other Things they have discovered against any Criminal. Although 'tis reckoned more hand-

handſome to do this by the Authority of their Superior, when this Power is not ſpecially given him in the Letters of his Commiſſion.

But although each of the Inquiſitors hath entire Juriſdiction, yet neither of them can proceed without the other to the Publication of Teſtimonies, nor to grant a Copy of the Proceſs to the Criminal. This Rule holds only when both the Inquiſitors are preſent. For when either of them is abſent, the other can do every Thing that is needful, calling in the Aſſiſtance of ſkilful Perſons. 4 *Inſtruct. Tolet.* c. 1. Simanc. *tit.* 34. §. 37.

When the ſame Hereticks may be proceeded againſt by different Judges, that Inquiſitor who firſt began the Proceſs, is to be preferred to the other in the ſame Cauſe. For which Reaſon the Inquiſitors of other Provinces muſt ſend their Teſtimonies, and all Things they have diſcovered againſt the Criminals, to that Inquiſitor who firſt began the Proceſs. *tit.* 44. §. 79.

The elder Inquiſitor is to be preferred, although tranſlated from one Province to another, unleſs he may have been deprived of his Office, and afterwards reſtored, or laid down the Office of his own Accord for any certain Time. This is fully contained in one of the Letters of the Inquiſitor General. *tit.* 34. §. 20.

J. Royas hath fully explained this Matter, *viz.* how ſeveral Inquiſitors in one Province, and how the Inquiſitors and Ordinary muſt act, and given in the Reaſons why. "The Juriſdiction of the Inquiſitors is mutual and entire, "where one of them only preſides over the Juriſdiction for determining the "Cauſes of the Faith; for a Colleague in any City or Territory hath no "Power in Cauſes already decided. 4 *Inſtruct. Tolet.* c. 1. But if they are all "preſent, neither of them without the other can proceed to apprehend Cri-"minals, to the Publication of Witneſſes, to the Torture, to enjoin canoni-"cal Purgation, or to pronounce any definitive Sentence. And as to the Or-"dinaries, ſuch of them as are Inquiſitors have a cumulative Juriſdiction, and "not a privative one, in theſe Articles only; *viz.* in pronouncing Sentences "of Torture, and in other definitive Sentences, as well as in thoſe which ariſe "from the Judgment it ſelf. But in all other Articles the Inquiſitors have priva-"tive and not cumulative Juriſdiction. For as to other civil and criminal Cauſes "not touching the Faith, the Inquiſitors may proceed without the Biſhop, be-"cauſe the Cogniſance of them belongs to them rather by the Royal than the "Apoſtolick Authority; or elſe by daily Cuſtom, as particularly in the King-"doms of *Valencia*, *Aragon*, and Principality of *Catalonia*, which Cuſtom gives "them their Juriſdiction." *Royas* adds, "I am grieved and aſhamed to tell "how in our Times this Juriſdiction is almoſt deſtroyed, and rendred weak and "infirm by the Negligence of ſome, to the great Detriment of the Affairs "of the Faith." *Part* 1. §. 439. 444.

Finally, they obſerve, that 'tis much ſafer for the Biſhops to ſend to the Inquiſitors the Cauſes of Hereſy, and Suſpicions of Hereſy, becauſe Secrecy is the Strength of all the Cauſes of the Holy Office. This is inviolably obſerved before the Inquiſitors, but cannot be ſo well kept before the Biſhops. This the Inquiſitor *Cantera* atteſts, whilſt he was Vicar General of *Pampilona*; Carena, *p.* 1. *t.* 4. *n.* 23, &c.

viz. that he could never procure Secrecy to be kept in that Ecclesiastical Court; and though he oftentimes punished the Notaries, it signified nothing at all. *Carena* also relates, that Cardinal *Camporeus*, Bishop of *Cremona*, and one of the supream Inquisitors, in all Causes in which Lay Persons had a Right to decide and give Judgment, did for fourteen Years always remit all Causes of Heresy, and Suspicion of Heresy, immediately to the Inquisitors; because he well knew, how great Inconveniences would arise, if the Ordinaries, who have neither secret nor safe Jayl and Ministers, should interest themselves in forming Processes.

CHAP. XVIII.

Of the JAYL *of the* INQUISITORS, *and* KEEPERS *of the* JAYL.

Direct. p. 3. Qu. 58. com. 107. JAYLS were formerly appointed to keep Men in Custody, and not to punish them. But by the Canon Law they may be used for Punishment. Cap. *Quamvis.* de pœnis. lib. 6. *Although it be well known that the Jayl is particularly designed to keep Criminals in Custody, and not to punish them, yet we do not disapprove that convict Persons should be delivered over to Prison to do Penance either for ever, or for a Time, as you shall judge most convenient, their Crimes, Persons, and other Circumstances, being carefully considered.* Simancas gives this Reason for it: *For since the sacred Canons, through the Ecclesiastical Lenity, cannot inflict the Punishment of Death, the Consequence is, that lest Crimes should go unpunished, they may inflict the Penalty of Perpetual Imprisonment for more grievous Offences, which is indeed very grievous, and equal to Death.* *Cathol. Instit. tit. 16. §. 15.* Heretofore the Bishop and Inquisitor might have their separate Jayls, to hold Persons in Custody, but not to punish them; for as they cannot condemn any one to Imprisonment without the Consent of both, 'tis therefore required that the Jayl for Punishment shall be common to both. But now they have not usually separate Prisons; the same that belongs to the Inquisitor, in which Criminals are kept in Custody, being common to the Bishop.

Here are two Things to be explained. First, what must be done before any Person can be thrown into Jayl. Secondly, what Method must be observed in keeping and placing the Prisoners.

Part 2. Assert. 1. As to the first, *Royas* gives this large Account of it. In all Causes, as well civil as criminal, Criminals must not be apprehended, without a summary Inquisition against them concerning their Crime first had. This is particularly to be observed in the Crime of Heresy. For though in other Crimes no one suffers much in his Reputation merely for his being thrown into Prison, yet to be taken up for the Crime of Heresy is greatly infamous, which must therefore be proceeded in with great Caution. For since the Reason of proceeding in the Crime of Heresy is much more important than in other Offences, there is

is Need of a greater Inquiſition, and of a ſummary Cogniſance, before Criminals are apprehended. So that no one is lightly to be ſhut up in cloſe Priſon for ſmall Offences, for Propoſitions that ſound ill, or that are ſcandalous, or blaſphemous, or others which do not contain real Hereſy; but is to be confined either in ſome Monaſtery, or in his own Houſe or City.

The Inquiſitors may indeed proceed in the Crime of Hereſy againſt any Perſon, eſpecially if he be otherwiſe vile, upon a light and moderate Suſpicion, ſo far as to aſk ſuch ſuſpected Perſon, what he thinks of the Faith. But in order to apprehend any one for Hereſy, two credible Witneſſes are required, although they ſay that the Teſtimony of a ſingle one, if beyond all Exception, is ſufficient, who depoſes what he ſaw or heard; yea, if he be not beyond all Exception, yet is otherwiſe fit, provided he agrees with the Informer; for in this Caſe they ſay there are two Witneſſes, and conſequently more than half Proof, which is ſufficient for any ones being apprehended. But that one Witneſs above all Exception, is enough in this Caſe, they prove from the *Madrid* Inſtruction, *An.* 1561. *Cap.* 4. which ſays, *If the Teſtimony be not ſufficient for the apprehending.* This Inſtruction is in the ſingular Number, and therefore intimates, that one lawful Witneſs againſt any one is ſufficient for his being taken up; eſpecially if the Perſon be ſcandalous, and vile, and ſuſpected; as are all the new Converts of the Mahometan Sect in the Kingdom of *Valencia*; and as *Royas* ſays, the *French* and *Germans* of the *Lutheran*. But if the Perſon accuſed be noble, and of good Reputation and Fame, he is not to be apprehended upon a ſingle Teſtimony. However, this is left to the Pleaſure of the Judge, after having conſidered the Quality of the Perſon and his Offence; not that the Inquiſitors of the Faith ſhould appear eager to take up Criminals; for they are always to uſe great Circumſpection. This is eſpecially neceſſary in the receiving and examining Witneſſes. They muſt in the firſt Place admoniſh them, how horrible and dreadful a Wickedneſs it is to give falſe Witneſs in any Cauſes, and eſpecially in the holy Office of the Inquiſition, and that they ſhould have God and his awful and tremendous Judgment before their Eyes, that they may not, for Prayer, or Price, or Entreaty, or any other wicked Affection, defame an innocent Perſon with ſo great a Crime. Then the Witneſſes are to be interrogated concerning the Place, and Time, what they ſaw or heard; whether the Perſon acted, or pronounced heretical Words, once or oftner; with what Obſtinacy or Eagerneſs he affirmed them; and what other Perſons were preſent; and for what Cauſes, Reaſons, and Occaſions they were preſent; and concerning all other Circumſtances neceſſary to diſcover the Truth or Falſehood.

Theſe Things premiſed, the Witneſſes received, and the Propoſitions qualified, the Promotor Fiſcal demands before the Inquiſitors, that the Criminals be apprehended and impriſoned, that they may ſuffer the deſerved Puniſhment.

When the Offence thus appears, and 'tis proper to apprehend the Criminal, the Inquiſitor may then order him to be taken up. When they have determined Pegna, Com. 107.

mined upon his being apprehended, they give out the Order to that Officer, who, according to the Custom of the holy Office, is to take up Criminals; and his Order is subscribed by the Inquisitors. If several Persons are to be taken up the same Day and Time, they give an Order for each Person, which is inserted in their respective Processes, that such Acts, which are of great Weight, may appear openly.

As to the second. All Criminals have not alike Places of Imprisonment, their Cells being either more terrible and dark, or more easy and chearful, according to the Quality of the Persons and their Offences. In Reality there is no Place in the Prison of the Inquisition, that can be called pleasant or chearful, the whole Jayl is so horrible and nasty.

These Jayls are called in *Spain* and *Portugal*, *Santa Casa*, *i. e.* the holy House. Every Thing it seems in this Office must be holy. The Prisons are so built, as the Author of the History of the Inquisition at *Goa* describes them, that they will hold a great Number of Persons. They consist of several Porticoes, every one of which is divided into several small Cells of a square Form, each Side being about ten Foot. There are two Rows of them, one being built over the other, and all of them vaulted. The upper ones are enlightned by Iron Grates, placed above the Height of a tall Man. The lower ones are under Ground, dark, without any Window, and narrower than the upper ones. The Walls are five Foot thick. Each Cell is fastned with two Doors, the inner one thick, and covered over with Iron, and in the lower Part of it there is an Iron Grate. In the upper Part of it is a little small Window, through which they reach to the Prisoner his Meat, Linnen, and other Necessaries, which is shut with two Iron Bolts. The outer Door is entire without any opening at all. They generally open it in the Morning, from six a Clock till eleven, in order to refresh the Air of the Prison.

In *Portugal* all the Prisoners, Men and Women, without any Regard to Birth or Dignity, are shaved the first or second Day of their Imprisonment. Every Prisoner hath two Pots of Water every Day, one to wash, and the other to drink, and a Besom to cleanse his Cell, and a Mat made of Rushes to lie upon, and a larger Vessel to ease Nature, with a Cover to put over it, which is changed once every four Days. The Provisions which are given to the Prisoners, are rated according to the Season, and the Dearness or Plenty of Eatables. But if any rich Person is imprisoned, and will live and eat beyond the ordinary Rate of Provisions, and according to his own Manner, he may be indulged, and have what is decent, and fit for him, his Servant, or Servants, if he hath any, with him in the Jayl. If there are any Provisions left, the Jayl-Keeper, and no other, must take them, and give them to the Poor. But *Reginald Consalvius* observes, *p.* 106. that this Indulgence is not allowed to Prisoners of all sorts, but to such only as are taken up for small Offences, who are to be condemned to a Fine. But if they find by the very Accusation that any Persons are to be punished with Forfeiture of all their Effects, they do not suffer them to live so plentifully, but order them a small Pension for their Subsistence, *viz.* about thirty Maravedis, of the Value of ten *Dutch*

Stivers.

Stivers. This agrees with the Account of *Isaack Orobio*, who had a plentiful Fortune at *Seville*, and was nevertheless used very hardly in the Prison of the Inquisition there. Although his Estate was very large, yet he was allowed a very small Pension to provide himself Provision. This was Flesh, which they made him sometimes dress and prepare for himself, without allowing him the Help of any Servant. In this Manner are the richer Prisoners treated. As to the poorer, and such who have not enough to supply themselves in Jayl, their Allowance is fixed by the King, *viz.* the Half of a silver Piece of Money, called a Real *, every Day; and out of this small Sum, the Buyer of their Provision, whom they call the Dispenser, and their Washer must be paid, and all other Expences that are necessary for the common Supports of Life. Besides, this very royal Allowance for the Prisoners doth not come to them but through the Hands of several Persons, and those none of the most honest; first by the Receiver, then the Dispenser, then the Cook, then the Jayl-Keeper, who, according to his Office, distributes the Provision amongst the Prisoners. *Gonsalvius* adds, that he gave this particular Account of this Matter, because all these Persons live, and have their certain Profits out of this small Allowance of the King to the Prisoners, which coming to them through the crooked Hands of these Harpies, they cannot receive it till every one of them hath taken out more than a tenth Part of it.

The Author of the History of the Inquisition at *Goa* tells us, this Order is observed in distributing the Provisions. The Prisoners have Meat given them three times every Day; and even those who have the Misfortune to be in this Case, and they have Money, are not treated much better than others, because their Riches are employ'd to make Provision for the Poorer. I was informed by *Isaack Orobio*, that in *Spain* they sometimes give the Prisoners Coals, which they must light, and then dress their own Food. Sometimes they allow them a Candle. Those who are confined in the lower Cells generally sit in Darkness, and are sometimes kept there for several Years, without any one's being suffered to go or speak to them, except their Keepers, and they only at certain Hours, when they give them their Provision. They are not allowed any Books of Devotion, but are shut up in Darkness and Solitude, that they may be broke with the Horrors of so dreadful a Confinement, and by the Miseries of it forced to confess Things which oftentimes they have never done.

And how dreadful the Miseries of this Prison are, we have a famous Instance given us by *Reginald Gonsalvius Montanus*. In the Age before the last, a certain *English* Ship put in at the Port of *Cadiz*, which the Familiars of the Inquisition, according to Custom, searched upon the Account of Religion, before they suffered any Person to come a-shore. They seized on several *p.* 119.

* Dr. *Geddes* tells us of one in the Inquisition at *Lisbon*, who was allowed no more than three Vintems a Day; a Vintem is about an *English* Penny Farthing.

Engliſh Perſons who were on board, obſerving in them certain Marks of Evangelical Piety, and of their having received the beſt Inſtruction, and threw them into Jayl. In that Ship there was a Child, ten or twelve Years, at moſt, old, the Son of a very rich *Engliſh* Gentleman, to whom, as was reported, the Ship and principal Part of her Loading belonged. Amongſt others they took up alſo this Child. The Pretence was, that he had in his Hands the Pſalms of *David* in *Engliſh*. But as *Gonſalvius* tells us, thoſe who knew their Avarice and curſed Arts, may well believe, without doing any Injury to the Holy Inquiſition, that they had got the Scent of his Father's Wealth, and that this was the true Cauſe of the Child's Impriſonment, and of all that Calamity that followed after it. However, the Ship with all its Cargo was confiſcated, and the Child, with the other Priſoners, were carried to the Jayl of the Inquiſition at *Seville*, where he lay ſix or eight Months. Being kept in ſo ſtrait Confinement for ſo long a while, the Child, who had been brought up tenderly at home, fell into a very dangerous Illneſs, through the Dampneſs of the Priſon, and the Badneſs of his Diet. When the Lords Inquiſitors were informed of this, they ordered him to be taken out of the Jayl, and carried, for the Recovery of his Health, to the Hoſpital, which they call the *Cardinal*. Here they generally bring all who happen to fall ill in the Priſon of the Inquiſition, where, beſides the Medicines, of which, according to the pious Inſtitution of the Hoſpital, there is Plenty, and a little better Care, upon account of the Diſtemper, nothing is abated of the Severity of the former Jayl; no Perſon beſides the Phyſician, and the Servants of the Hoſpital, being allowed to viſit the ſick Perſon; and as ſoon as ever he begins to grow better, before he is fully recovered, he is put again into his former Jayl. The Child, who had contracted a very grievous Illneſs from that long and barbarous Confinement, was carried into the Hoſpital, where he loſt the Uſe of both his Legs; nor was it ever known what became of him afterwards. In the mean while 'twas wonderful, that the Child, in ſo tender an Age, gave noble Proofs how firmly the Doctrine of Piety was rooted in his Mind; oftentimes, but eſpecially Morning and Evening, lifting up his Eyes to Heaven, and praying to him, from whom he had been inſtructed by his Parents, to deſire and hope for certain Help; which the Jayl-Keeper having often obſerved, ſaid, He was already grown a great little Heretick.

p. 121. About the ſame Time a certain Perſon was taken up and thrown into the ſame Jayl, who had voluntarily abjured the *Mahometan* Impiety, and came but a little before from *Morocco*, a famous City of *Mauritania*, and Capital of the Kingdom, into that Part of *Spain* which lies directly over againſt it, with a Deſign to turn Chriſtian. When he had obſerved that the Chriſtians were more vicious and corrupt than the *Moors* he had left, he happened to ſay, that the *Mahometan* Law ſeem'd to him better than the Chriſtian. For this the good Fathers of the Faith laid hold of him, thurſt him into Jayl, and uſed him ſo cruelly, that he ſaid publickly even when

in Confinement, that he never repented of his Christianity from the Day he was baptized, till after his having been in the Inquisition, where he was forced against his Will to behold all manner of Violences and Injuries whatsoever.

The Complaint of *Constantine*, the Preacher of *Seville*, was not less grievous concerning the Barbarities of this Prison; who, although he had not as yet tasted of the Tortures, yet often bewailed his Misery in this Jayl, and cried out: *O my God, were there no Scythians in the World, no Cannibals more fierce and cruel than Scythians, into whose Hands thou couldst carry me, so that I might but escape the Paws of these Wretches.* *Olmedus* also, another Person famous for Piety and Learning, fell into the Inquisitors Hands at *Seville*, and thro' the Inhumanity of his Treatment, which had also proved fatal to *Constantine*, contracted a grievous Illness, and at last died in the Midst of the Nastiness and Stench. He was used to say, *Throw me any where, O my God, so that I may but escape the Hands of these Wretches.* *p.* 104.

The Author of the History of *Goa* agrees in this Account, who frankly owns, that through the Cruelty and Length of his Imprisonment, he fell into Despair, and thereby often attempted to destroy himself; first by starving himself, and because that did not succeed, he feigned himself sick; and when the Physician of the Inquisition found his Pulse unequal, and that he was fevourish, he ordered him to be let Blood, which was done again five Days after. When the Doctor was gone, he unbound his Arm every Day, that so by the large Effusion of Blood, he might continually grow weaker and weaker. In the mean while he eat very little, that by Hunger and Loss of Blood, he might put an End to his miserable Life. Whilst he was in this sad Condition, he had sent him a Confessor of the *Franciscan* Order, who, by various Arguments of Comfort, endeavoured to recover him from his Despair. They also gave him a Companion in his Jayl, which was some Comfort to him in his Confinement. But growing well again after about five Months, they took his Companion from him. The Lonesomeness of his Jayl brought on again his Melancholy and Despair, which made him invent another Method to destroy himself. He had a Piece of Gold Money, which he had concealed in his Cloaths, which he broke into two Parts; and making it sharp, he opened with it a Vein in each Arm, and lost so much Blood, that he fell into a Swoon, the Blood running about the Jayl. But some of the Servants happening to come before the usual Time to bring him something, found him in this Condition. The Inquisitor hereupon ordered him to be loaded with Irons upon his Arms and Hands, and strictly watched. This Cruelty provoked him to that Degree, that he endeavoured to beat his Brains out against the Pavement and the Walls; and undoubtedly the Ligaments upon his Arms would have been torn off, had he continued any longer in that State. Upon this they took off his Chains, gave him good Words, encouraged him, and sent him a Companion, by whose Conversation he was refreshed, and bore his Misery with a little more Easiness of Mind. But after two Months they took him from him again, so that the Solitude of his Jayl was more distressing to him than before. *Cap.* 19, 20, 21.

Inquis. Goan. cap. 13. The Prisoners, as soon as ever they are thrown into Jayl, are commanded to give an Account of their Name and Business. Then they enquire after their Wealth, and to induce them to give in an exact Account, the Inquisition promises them, that if they are innocent, all that they discover to them shall be faithfully kept for, and restored to them; but that if they conceal any Thing, it shall be confiscated, though they should be found not guilty. And as in *Spain* and *Portugal* most Persons are fully persuaded of the Sanctity and Sincerity of this Tribunal, they willingly discover all their Possessions, even the most concealed Things of their Houses, being certainly persuaded, that when their Innocence shall appear, they shall soon recover their Liberty and Effects together. But these miserable Creatures are deceived; for he that once falls into the Hands of these Judges, is stripped at once of all he was possessed of. For if any one denies his Crime, and is convicted by a sufficient Number of Witnesses, he is condemned as a negative Convict, and all his Effects confiscated. If to escape the Jayl, he confesses his Crime, he is guilty by his own Confession, and in the Judgment of all justly stripped of his Effects. When he is dismissed from Prison as a Convert and Penitent, he dares not defend his Innocence, unless he desires to be thrown again into Jayl, and condemned, and, as a feigned Penitent, to be delivered over to the secular Arm.

2. Part. Assert. 2. Of these Things *J. Royas* gives us an Account. "When any Criminal is "apprehended, and put into the Jayls of the Holy Office, his Effects must "be immediately sequestred, that they may not be conveyed away, or con"cealed, and put into the Hands of some proper Person before the Notary "and Executor, who is to have the Custody and Care of them. Such Ef"fects as cannot be kept, he who hath them in Custody, must sell by the "Inquisitors Command. This Sequestration is made only for real and formed "Heresy. From hence they infer, that this Sequestration or Description of "Effects is not to be made, when the Inquisitors proceed against Blasphe"mers, or Fortune-Tellers, or those who marry again whilst their former "Wives are living, or against Clergymen in Orders, or professed Monks who "have contracted Matrimony, or against Persons who speak Propositions rash, "scandalous, injurious, or that sound ill; and in all other Causes, in which "there is not, *de jure*, any Confiscation of Effects, that which preceeds it, "*viz.* the Sequestration of such Effects, by Consequence ceases."

Inquis. Goan. cap. 18. When the Prisoner is brought before his Judge, he appears with his Head and Arms, and Feet naked. In this Condition he is brought out of Jayl by the Warder. When he comes to the Room of Audience, the Warder goes a little forward, and makes a profound Reverence, then withdraws, and the Prisoner enters by himself. At the farther End of the Audience Room there is placed a Crucifix, that reaches almost to the Cieling. In the Middle of the Hall is a Table about five Foot long, and four broad, with Seats all placed round it. At one End of the Table, that which is next to the Crucifix, sits the Notary of the Inquisition, at the other End the Inquisitor, and at his left Hand the Prisoner sitting upon a Bench. Upon the Table is a Missale, upon which

The table of the Inquisition.

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which the Prisoner is commanded to lay his Hand, and to swear that he will speak the Truth, and keep every Thing secret. After they have sufficiently interrogated him, the Inquisitors ring a Bell for the Warder, who is commanded to carry back his Prisoner to Jayl.

No one in the Prison must so much as mutter, or make any Noise, but must keep profound Silence. If any one bemoans himself, or bewails his Misfortune, or prays to God with an audible Voice, or sings a Psalm or sacred Hymn, the Jayl-Keepers, who continually watch in the Porches, and can hear even the least Sound, immediately come to him, and admonish him that Silence must be preserved in this House. If the Prisoner doth not obey, the Keepers admonish him again. If after this the Prisoner persists, the Keeper opens the Door, and prevents his Noise, by severely beating him with a Stick, not only to chastise him, but to deter others, who, because the Cells are contiguous, and deep Silence is kept, can very easily hear the Outcries and Sound of the Blows. I will add here a short Story that I had from several Persons, which, if true, shews us with what Severity they keep this Silence. A Prisoner in the Inquisition coughed. The Jaylors came to him, and admonished him to forbear coughing, because it was unlawful to make any Noise in that House. He answered, 'twas not in his Power. However, they admonished him a second time to forbear it, and because he did not, they stripped him naked, and cruelly beat him. This encreased his Cough, for which they beat him so often, that at last he died through the Pain and Anguish of the Stripes.

They insist so severely on keeping this Silence, that they may cut off every Degree of Comfort from the Afflicted, and especially for this Reason, that the Prisoners may not know one another, either by singing, or any loud Voice. For it oftentimes happens, that after two or three Years Confinement in the Jayl of the Inquisition, a Man doth not know that his Friend, nor a Father that his Children and Wife are in the same Prison, till they all see each other in the Act of Faith. And finally, that the Prisoners in the several Cells may not talk with one another, which, if ever found out, their Cells are immediately changed. Gonsalv. p. 117.

If any one falls ill in the Prison, they send to him a Surgeon and Physician, who administer all proper Remedies to him to recover him to Health. If there be any Danger of his dying, they send him a Confessor, if he desires it. According to the Provision of the *Madrid* Instruction, *An.* 1561. cap. 71. *If any Criminal falls ill in Prison, the Inquisitors must take diligent Care that he may have Medicines, and all Things necessary for his Safety, and the Advice of one Physician or more, to recover him. And if he desires a Confessor, let them assign him one of known Probity, and who may be confided in, and let him be sworn to Secrecy. If the Penitent says any thing to him in Confession, which he would have told out of the Jayl, let him not obey him in this by any Means, nor discover any such Commands. But if he enjoins him any thing out of Confession, let him reveal that to the Inquisitors. Farther, let the Inquisitors admonish and instruct the Confessor how he shall behave towards the Penitent, particularly that he tell him, that since he* Direct. p. 2. com. 25.

was imprisoned for Heresy, and accused as guilty of it, he cannot be absolved, unless he judicially declares his Heresy. Let other Things be left to the Judgment and Conscience of the Confessor, who ought to be instructed that he may understand what is fit to be done in such a Cause.

If the Criminal doth not ask for a Confessor, and the Physician believes the Distemper to be dangerous, he must be persuaded by all Means to confess; and if he judicially satisfies the Inquisitors, he is to be reconciled to the Church before he dies, and being absolved in Judgment, the Confessor must absolve him Sacramentally. This is ordered by the same Instruction.

If he is well, and desires a Confessor, some are of Opinion he may not have one granted him, unless he hath confessed judicially. Others think he may; and in this Case the Confessor's Business is to exhort him to confess his Errors, and to declare the whole Truth, as well of himself as of others, as he is bound *de jure*, to do. However, he must add, that he must not accuse himself or others falsely, through Weariness of his Imprisonment, the Hope of a more speedy Deliverance, or Fear of Torments. Such a Criminal the Confessor cannot absolve, before his Excommunication is first taken off, and he is reconciled to the Church. But in *Italy* the Prisoners are more easily allowed a Confessor than in *Spain*.

They are particularly careful not to put two or more in the same Cell, unless the Inquisitor for any special Reason shall so order, that they may not concert with one another to conceal the Truth, to make their Escape, or to evade their Interrogatories. The principal Reason indeed seems to be, that through the Irksomeness of their Imprisonment, they may confess whatsoever the Inquisitors would have them. But if an Husband and his Wife are both imprisoned for the same Offence, and there be no Fear that one should prevent the other from making a free Confession of the Crime, they may be put in the same Cell.

Gonsalv. *p.* 125. The Inquisitors are obliged to visit the Prisoners twice every Month, and to enquire whether they have Necessaries allowed them, and whether they are well or not. In this Visit they usually ask him in these very Words, How he is? How he hath his Health? Whether he wants any Thing? Whether his Warder is civil to him? *i. e.* Whether he speaks to him in a reproachful and severe Manner? Whether he gives him his appointed Provision, and clean Linen? and the like. These are exactly the Sentences and Words they use in these Visits, to which they neither add any Thing, nor act agreeable; for they use them only for Forms sake, and when the Inquisitor hath spoken them, he immediately goes away, scarce staying for an Answer. And although any one of the Prisoners complains that he is not well used, 'tis of no Advantage to him, nor is he better treated for the future. If there be Occasion or Necessity, it will be convenient for them to visit the Prisoners three or four times every Month, yea, as often as they think proper, *viz.* when the Criminal bears with Impatience the Misfortune and Infamy of his Imprisonment, in such Case the Inquisitor must endeavour to comfort him very often, not only by himself, but by others, and to tell him, that if he makes a free Confession, his whole Affair shall be quickly and kindly ended. The

Inquis. Goan. c. 12.

The Inquiſitors muſt take Care not to talk with the Criminals, when they are examined or viſited, upon any other Affairs but ſuch as relate to their Buſineſs. Nor muſt the Inquiſitor be alone when he viſits, or otherwiſe gives them Audience; but muſt have with him his Collegue, or at leaſt a Notary, or ſome other faithful Servant of the Holy Office. According to the *Madrid* Inſtruction, *An.* 1561. *cap.* 17.

This alſo they are particularly careful of, that the Criminals may not be removed from one Cell to another, nor aſſociate with any other. If any Priſoners have been ſhut up together at once in the ſame Cell, when they are removed, they muſt be removed together, that hereby they may be prevented from communicating any Thing that hath been tranſacted in the Priſon. This is more eſpecially to be obſerved, in caſe any of them recall their Confeſſion, after they have been removed from one Cell and Company to another. But if a Criminal confeſſes, and is truly converted, he may more eaſily be removed from one Cell to another, becauſe the Inquiſitor is in no Pain for fear of his retracting, but may oftentimes make uſe of him to draw out the Truth from other Priſoners, according to the Advice of *Eymerick*, in his Directory of the Inquiſition, *p.* 3. *n.* 107. and *Pegna*'s Commentary 23. *Things of this Nature*, ſays he, *are to be learned rather from Experience than Art, or Precept, eſpecially as there are ſome Things which muſt neither be revealed or taught, and are well known in themſelves to the Inquiſitors.*

If Women are impriſoned, they muſt each of them have, according to their Quality, one honeſt Woman at leaſt for a Companion, who muſt never be abſent from her, to prevent all Suſpicion of Evil. This Companion muſt be antient, of a good Life, pious and faithful. Sometimes when Women are to be impriſoned, they do not carry them to the Jayl of the Inquiſitors, eſpecially if they are Regulars, if the Jayls be within the Walls of the Monaſteries, but to the Convents of the Nuns. When this happens, they command the Abbeſs or Prioreſs to admit no Body to diſcourſe with the Priſoner without expreſs Leave of the Inquiſitor, but diligently to obſerve the Order given her. But when the Cauſe is of Importance, and full of Danger, and ſuch they eſteem all that relate to the Faith, they think it ſafer that Women ſhould be impriſoned in the Jayls of the Inquiſitors. But the Cardinals Inquiſitors General are to be conſulted in this Affair, who, after mature Conſideration, are to determine whether it be moſt expedient that ſuch Criminals ſhould be kept in the Jayls of the Biſhops, or Inquiſitors Regulars, eſpecially if they are young and handſome, as is often the Caſe of thoſe who are taken up for telling Peoples Fortunes about their Sweethearts.

Pegna, *Prax. Inq. l.* 2. *c.* 15. *n.* 6.

'Tis farther the Cuſtom and received Uſe of this holy Tribunal, that ſuch who are impriſoned for Hereſy, are not admitted to hear Maſs, and other Prayers which are ſaid within the Jayl, till their Cauſe is determined. Their principal Pretence for this Cuſtom is, that it may poſſibly happen, when there is a great Number of Criminals, that the ſeveral Accomplices, Companions and Partakers of the Crime, may at leaſt by Nods and Signs diſcover to one another, how they may eſcape Judgment, or conceal the Truth.

But

But the true and genuine Reaſon is, that the Priſoner may have nothing to contemplate beſides his preſent Misfortune, that ſo being broken with the Miſeries of his Confinement, he may confeſs whatſoever the Inquiſitors would have him. For this Reaſon they deny them Books, and all other Things that would be any Relief to them in their tedious Impriſonment. If any one of the Priſoners whatſoever prays the Inquiſitor when he viſits him, that he may have ſome good Book, or the Holy Bible, he is anſwered, that the true Book is to diſcover the Truth, and to exonerate his Conſcience before that holy Tribunal; and that this is the Book which he muſt diligently ſtudy, *viz.* to recover the Remembrance of every Thing faithfully, and declare it to their Lordſhips, who will immediately preſcribe a Remedy to his languiſhing Soul. If the Priſoner in the ſame or next Viſit is importunate about it, he will be commanded Silence, becauſe if he asks to pleaſe himſelf, they may grant or deny him according to their Pleaſure.

Simanc. *tit.* 41. §. 5. The keeping the Jayl antiently belonged to the Executors Office, and as often as he was abſent, he was obliged to provide another Keeper at his own Charge. But now the Jayl-Keeper is created by the Inquiſitor General, and is different from the Executor.

Thoſe who keep the Jayls for the Crime of Hereſy, muſt ſwear before the Biſhop and Inquiſitor, that they will faithfully keep their Priſoners, and obſerve all other Things preſcribed them by *Clement.* I. de hæret. §. *Porro.*

Simanc. *de Cathol. Inſtit. tit.* 16. §. 7, 8, 9. There muſt be two Keepers to every Jayl, induſtrious and faithful Men, one appointed by the Biſhop, the other by the Inquiſitor. Each of them may have their proper Servant. Beſides this, to every Cell there muſt be two different Keys, each Keeper to have one, which they may give to their Servants, to ſupply the Priſoners with Neceſſaries. The Biſhop and Inquiſitor have no Power to agree that there ſhall be but one Keeper, becauſe it doth not ſeem ſafe enough, neither is it allowed them by Law, nor appointed in their Cauſe or Favour. *Clem.* 1. §. *Sane.* de hæret.

But now there is only one Jayl-Keeper appointed in every Province, choſen by the Inquiſitor General, who is not allowed to give the Priſoners their Food. But the Inquiſitors chuſe ſome proper Perſon to this Office, who is commonly called the Diſpenſer. The Proviſions they give the Criminals are generally prepared and dreſſed in the Houſe of the Inquiſition; becauſe if they were to be prepared in the Houſes of the Criminals themſelves, or any where elſe, ſomething might eaſily be hid under them, that might furniſh them with the Means to conceal the Truth, or to elude or eſcape Judgment. This however is to be left to the Prudence and Pleaſure of the Inquiſitors, whether and when the Criminals may without Danger prepare their Proviſion in their own Houſes. But upon account of the Hazard attending it, the Inquiſitors but ſeldom, and not without exquiſite Care, gratify them in this Particular. If any Things are ſent them by their Friends or Relations, or Domeſticks, the Jayl-Keeper and Diſpenſer never ſuffer them to have it, without firſt conſulting the Inquiſitors. *Inſtruct. Tolet. c.* 26.

As these Keepers have it in their Power greatly to injure or serve their Prisoners, they must promise by an Oath, before the Bishop and Inquisitors, that they will exercise a faithful Care and Concern in keeping them, and that neither of them will speak to any of them but in Presence of the other, and that they will not defraud them of their Provision, nor of those Things which are brought to them. Their Servants also are obliged to take this Oath.

But notwithstanding this Law, a great Part of the Provision appointed for the Prisoners is with-held from them by their covetous Keepers; and if they are accused for this to the Inquisitors, they are much more gently punished, than if they had used any Mercy towards them. *Reginald Gonsalve* relates, that in his Time, *Gaspar Bennavidius* was Keeper of a Jayl. " He was a Man of mon- p. 111, &c.
" strous Covetousness and Cruelty, who defrauded his miserable Prisoners of a
" great Part of their Provision, which were ill dressed, and scarce the tenth
" Part of what was allowed them, and sold it secretly, for no great Price, at
" the *Triana*. Besides, he wholly kept from them the little Money allowed
" them to pay for the washing of their Linen, thus suffering them to abide
" many Days together in a nasty Condition, deceiving the Inquisitor and
" Treasurer, who put that Money to the Keepers Account, as though it had
" been expended every Week for the Use of the Prisoners, for whom it is ap-
" pointed. Neither was it very difficult to deceive them, because they took
" but little Pains to enquire out the Truth. If any one of the Prisoners
" complained, muttered, or opened his Mouth upon account of this intole-
" rable Usage, the cruel Wretch, who had divested himself of all Humanity,
" had a Remedy at hand. He brought the Prisoner immediately out of his
" Apartment, and put him down into a Place they call *Mazmorra*, a deep
" Cistern that had no Water in it. There he left him for several Days toge-
" ther, without any Thing to lie on, not so much as Straw. His Provision
" there was so very rotten, that it was more proper to destroy his Health
" by Sickness, than to preserve it, or support him in Life. All this he did
" without ever consulting the Inquisitors, and yet fraudulently and villanously
" pretended their Command to his Prisoner. If any one besought him to
" complain to the Inquisitors for so injurious a Treatment, for they could
" not do it by any other Person, and to desire an Audience, the cunning
" Wretch knowing that the whole Blame must lie upon himself, pretend-
" ed that he had asked, but could not obtain it. By such forged Answers,
" he kept the miserable Prisoner in that deep Pit twelve or fifteen Days,
" more or less, till he had fully gratified his Anger and Cruelty. After this
" he brought him out, and threw him into his former Jayl, persuading him
" that this Favour was owing to his Humanity and Care, having made Inter-
" cession for him with their Lordships. In short, his Thefts and Injuries with
" which he plagued his Prisoners, who were otherwise miserable enough,
" were so numerous, that some Persons of Interest with the Inquisitors at
" length accused him before them. Upon this he was imprisoned himself;
" and being found guilty of many false Accusations, he received this Sen-

" tence:

"tence: That he ſhould come out at a publick Act of the Faith, carrying "a wax Candle in his Hand, be baniſh'd five Years from the City, and forfeit the whole Sum of Money, which by Virtue of his Office he was to "have received from the holy Tribunal.

p. 114. "This very Man, whilſt he was Keeper, had in his Family, an ancient "Servant Maid, who obſerving the Diſtreſs of the Priſoners, labouring under intollerable Hunger and Naſtineſs, through the Wickedneſs and Barbarity of her Maſter, was ſo moved with pity towards them, being her ſelf "well inclined to the Evangelical Piety, that ſhe often ſpoke to them through "the Doors of their Cells, comforted them, and as well as ſhe could exhorted them to Patience, many Times putting them in Meat under their "Doors, in Proportion to the mean and low Abilities of her Condition. "And when ſhe had nothing of her own, by which to ſhew her Liberality "to the Priſoners of Chriſt, ſhe ſtole good Part of that Proviſion from "the wicked Thief her Maſter, which he had ſtolen from the Priſoners, and "reſtored it to them. And that we may the more wonder at the Providence "of God, who ſo orders it that the worſt of Parents ſhall not have always the worſt of Children, but ſometimes even the beſt; a little Daughter of the Keeper himſelf was greatly aſſiſting to the Maid in theſe pious "Thefts. By Means of this Servant the Priſoners had Information of the "State of the Affairs of their Brethren and fellow Priſoners, which much "comforted them, and was oftentimes of great Service to their Cauſe. But "at length the Matter was diſcover'd by the Lords Inquiſitors, by whom "ſhe was thrown into Priſon for a Year, and underwent the ſame Fate "with the other Priſoners, and condemned to walk in the publick Proceſſion, "with a yellow Garment, and to receive two hundred Stripes, which was "executed upon her the following Day through the Streets of the City, with "the uſual Pomp and Cruelty. To all this was added Baniſhment from "the City and its Territories for ten Years. Her Title was, *The Favoureſs* "*and Aidreſs of Hereticks*. What excited the implacable Indignation of the "Lords, the Fathers of the Faith, againſt her, was, That they diſcovered "in her Examination, that ſhe had revealed the Secrets of the moſt holy "Tribunal to ſome of the Inhabitants of the City, particularly relating to "the Proviſion allotted to the Priſoners. From both theſe Examples, and "from their different and unequal Puniſhment, any one may ſee, how much "ſafer it is to add to the Affliction of the Priſoners in their Jayl, than to "comfort them by any Act of Humanity and Mercy whatſoever.

§. 11. And in order that the Jayl of Hereticks may be kept ſecret, no one of the Officials, no not the Judge himſelf, as we ſhall afterwards ſee, can enter it alone, or ſpeak with the Priſoners but before another of the Officials, nor without the previous Order of the Inquiſitors. All are obliged to ſwear that they will obſerve this, that no one may ſee or ſpeak to the Priſoners beſides the Perſon who gives them their Neceſſaries, who muſt be a faithful honeſt Perſon, and is obliged to ſware that he will not diſcover the Secrets, and muſt be ſearched to prevent his carrying any Orders or Letters to the Priſoners.

This

This Command they will have observed as most sacred, because, as they say, Secrecy is the Strength of the Inquisition, which might easily be violated, unless this Order be punctually kept, and therefore they always most severely punish those who transgress it. *Gonsalvius Montanus* gives us a very remarkable Instance of this. "A few Years ago, *viz.* before *Gonsalvius* wrote " this Account, one *Peter ab Herera*, a Man not altogether vile, but of some " Humanity, and not very old, was appointed Keeper of the Tower of *Triana*, " which is the Prison of the Inquisition. It happened, as it often doth in such " numerous and promiscuous Imprisonments, that amongst other Prisoners " committed to his Custody, there was a certain good Matron, with her two " Daughters, who were put in different Cells, and earnestly desired the Liberty of seeing one another, and comforting each other in so great a Calamity. They therefore earnestly entreated the Keeper, that he would suffer " them to be together for one quarter of an Hour, that they might have the " Satisfaction of embracing each other. He being moved with Humanity " and Compassion, allowed them to be together, and talk with one another " for half an Hour, and after they had indulged their mutual Affections, he " put them, as they were before, in their separate Prisons. A few Days after this they were put with great Cruelty to the Torture; and the Keeper " being afraid, that through the Severity of their Torments, they should " discover to the Lords the Fathers Inquisitors, his small Humanity in suffering them to converse together for half an Hour without the Inquisitors " Leave, thro' Terror, went himself to the holy Tribunal, of his own Accord confessed his Sin, and prayed for Pardon, foolishly believing, that " by such his Confession, he should prevent the Punishment that threatned " him for this Action. But the Lords Inquisitors judged this to be so heinous " a Crime, that they ordered him immediately to be thrown into Jayl, and " such was the Cruelty of his Treatment, and the Disorder of Mind that followed on it, that he soon grew distracted. However, his Disorder and " Madness did not save him from a more grievous Punishment. For after he " had lain a full Year in that cursed Prison, they brought him out in the publick Procession, cloathed with the yellow Garment, and an Halter round " his Neck, as though he had been a common Thief, and condemned him " first to receive two hundred Lashes through the Streets of the City, and " then to the Gallies for six Years. The Day after the Procession, as he " was carried from the *Triana* to be whipt with the usual Solemnity, his Madness, which usually seized him every other Hour, came on him, and throwing himself from the Ass on which, for the greater Shame, he was carried, " he flew upon the Inquisitory * *Alguazile*, and snatching from him a Sword, " had certainly killed him, had he not been prevented by the Mob who attended him, and set him again upon the Ass, and guarded him till he had " received the two hundred Lashes according to his Sentence. After this " the Lords Inquisitors ordered, that as he had behaved himself indecently

p. 108.

* An Officer that executes the Orders of the Inquisition.

" towards the *Alguazile*, four Years more ſhould be added to the ſix for " which he was at firſt condemned to the Gallies."

Theſe Keepers are anſwerable for the ſmalleſt Fault, for they are to uſe the ſame Care in the Cuſtody of their Priſoners, as Fathers ought to do in governing their Families; ſo that if they ſuffer ony one to eſcape from Jayl, they are to be puniſhed according to the Nature of their Offence. 'Tis therefore their Buſineſs frequently to viſit and ſearch the Cells of their Priſoners, to prevent any Thing from being clandeſtinely carried in, by which they may deſtroy themſelves, dig through the Walls, and ſo eſcape. Their Care of the Women is to be peculiarly ſtrict, ſince the Sex is naturally frail, and more ſubject than Men to yield to Paſſion and Deſpair, and ſo are more likely to ſeek an Occaſion of deſtroying themſelves. They muſt, above all other Things, take Care that they do not behave themſelves indecently towards their Women Priſoners. Thus the Congregation of Cardinals Inquiſitors General, condemned a Jayl Keeper to the Gallies for ſeven Years, and to perpetual Baniſhment from the Place where he committed his Offence, for having carnal Knowledge of a Woman that was Priſoner in the Holy Office; as appears from the Letters of Cardinal *Arigonius*, *Jan.* 13, 1610. directed to the Inquiſitor of *Cremona*.

Carena, *p.* 1. *t.* 15. *n.* 114

If the Inquiſitor thinks it neceſſary to prevent the Eſcape of any Priſoners, he may lay them in Irons. If the Poverty of the Inquiſitors is ſo great, or their Jayls ſo defective, as that they are not fit to hold in ſafe Cuſtody, either for the Thinneſs of the Walls, or for want of Iron Bars to the Windows, or ſufficient Bolts for the Doors, if the Magiſtrate be required by the Inquiſitor, he muſt take Care of the ſafe Cuſtody of the Priſoners, according to the Conſtitution of *Alexander* IV. beginning, *Ad exſtirpanda*.

Simanc. *tit.* 41. §. 10.

What the ſeveral Duties of the Meſſenger, Door-Keeper, and Phyſician are, is plain enough from their very Names. They muſt be honeſt Men, and not ſuſpected, and born of old Chriſtians.

CHAP. XIX.

Of the Expences requiſite in the Adminiſtration of the INQUISITION *and Confiſcation of Effects applied to this Uſe.*

THESE Jayls cannot be built, nor Criminals be apprehended, nor maintained in Priſon, without Expence. It was therefore neceſſary that ſome Law ſhould determine how theſe Expences ſhould be provided for. Beſides the Inquiſitors, and all other Servants of the Inquiſition, muſt have their Salaries paid them. Originally this Burthen was laid on the Cities themſelves, as may be collected from the Conſtitution of *Innocent* IV. *Ad exſtirpanda. Let the chief Magiſtrate or Governor be obliged, at the Expence of the Place where he preſides,*

An. 1252. §. 3. Bzovius.

presides, to cause such Hereticks, when apprehended, to be carried wheresoever the Diocesan, or his Vicars, or the Inquisitors, or Inquisitor, shall order them to be carried, within the Jurisdiction or District of such Diocesan Bishop, or of such City or Place. The Officials shall be allowed out of the Chamber of such City or Place, when they go without the said City or Place, in Execution of their Office, every one of them eighteen Imperials in ready Money per diem, *which the Magistrate or Governor shall give, or cause to be given them, within three Days after their Return to such City or Place. They shall also have the third Part of the Effects of Hereticks they seize on, and of the Fines to which they shall be condemned, according as it is contained below, and with this Salary shall be content. Neither shall they be compelled by any Means to any other Office and Service, that may hinder them in the Exercise of this.*

But as the Cities thought themselves aggrieved by this Charge, and openly refused to bear it, the confiscated Effects of Hereticks have been applied to these Uses, and the Cross-bearers have bound themselves by Vow, that they will expend their own Estates for the Defence of the Faith. But that it may be more distinctly understood how these Effects are applied to the Uses of the Inquisition, I shall endeavour to trace this whole Affair from the Beginning.

When the delegated Inquisition was first constituted, the Sentence concerning the Confiscation of Effects in the Dominions of the Church, was pronounced by the Ecclesiastical Judge; but in other Countries by secular Princes, as appears plain from the Text in cap. *Vergentis.* de hæret. *But in the Countries subject to our temporal Jurisdiction, we ordain that the Goods of Hereticks shall be exposed to Sale; and in other Countries we command that it shall be done by the secular Powers and Princes, and if they appear negligent, we will and command that they shall be compelled to do it by Ecclesiastical Censure, without Benefit of Appeal.* But in a Course of Years it was, without any Difference, provided that the Declaratory Sentence concerning such Confiscation, should every where be passed by the Ecclesiastical Judge, who judges of the Crime; and farther, that the Execution of such Confiscation, *viz.* the Seizure of the Goods, should be made by the Ecclesiastical Judge, *viz.* by the Bishop or Inquisitor: *The Execution of such Confiscation, or the Seizure of the Effects themselves shall not be made by Princes, or other temporal Lords, before the Sentence for such Crime shall have been published by the Bishop of the Place, or some other Ecclesiastical Person, who hath Power in this Affair.* C. *Cum secundum leges.* §. *fin.* de hæret. lib. 6. ibid.

Direct. p. 3. com. 148.

Cap. Ut Inquisitionis. §. Prohibemus.

Whether Hereticks repent or not, whether they are converted before they are delivered to the secular Court, or afterwards, their Effects are *ipso facto*, confiscated. *The Goods of Hereticks, who offend more grievously, horribly, and detestably than others, we, with the Advice of our Brethren, decree to be,* ipso jure, *confiscated.* Neither doth it signify whether the Heretick hath persisted in his Heresy for a longer or shorter Time; because Heresy is not judged of by the Length of Time.

C. *Cum secundum leges.* de hæret. l. 6.

But if any voluntarily return to the Church, before they are accused or denounced, or if immediately after they are apprehended, they make a full and entire Confession of themselves and others, whom they know to be Hereticks:

reticks: Such who thus return with a pure Heart, before the Depositions of the Witnesses are published, are, as seems equitable, kindly excused from Imprisonment, and have also for the same Reason the Confiscation of their Effects remitted them. In *Italy* 'tis owing rather to Custom than to any Papal Constitution, that the Effects of penitent Hereticks are not sold. But in *Spain*, the Effects of Hereticks, though penitent, are confiscated, not only by the Papal, but Royal Laws.

Simanc. t. 42. §. 17.

But as to the Seizure and Application of such confiscated Effects, the Civil Law thus determines. *Whom also we persue with the Publication of all their Effects.* However such Effects, published because of Heresy, were not condemned to the Treasury, if the Children of such Hereticks were Catholicks; as is plain from the before-mentioned Law. *Neither do we permit their Children to become their Heirs, unless they forsake their Parents Wickedness.* It is also farther explained, *L. Cognovimus*, C. de hæret. to whom the confiscated Effects of Hereticks shall be applied, if their Children are not Catholicks, *viz.* to their next Relations and Kindred, if Orthodox and Catholick. But if none such are to be found, the Effects are all to be converted to the Treasury of the secular Prince. And a little after, in Authent. §. *si quis de predictis.* this Method of Succession is prescribed, if the Fathers should be Catholicks, and their Children Hereticks. Because heretical Children and Relations cannot succeed Catholick Parents, if the Father be a Clergyman, the Church shall inherit; if a Layman, his Estate shall go to the Treasury. Many Ages after this, *Frederick* the Emperor, by a Law beginning, *Catharos.* thus ordained, about the Year 1220. *We condemn all Hereticks of both Sexes, and every Name, to perpetual Infamy, we deprive them of our Protection, and put them under the Bann, ordering their Effects to be confiscated, and never more to return to them, so that their Children shall never come to the Possession of them, since 'tis much more heinous to offend the eternal than the temporal Majesty.*

L. Manichaos. Cod. de hæret.

But as the Crime of Heresy is merely Ecclesiastical, they contend that the Ecclesiastical Laws, which order all Things relating to the Punishment of it, ought to prevail, and be every where observed. And therefore since the Confiscation of Effects is one of the Penalties ordained against Hereticks, they affirm, that what hath been ordained by the Ecclesiastical Papal Laws and Constitutions, ought to be observed by all that would approve their Obedience to the Church of *Rome*.

Pope *Innocent* III. in the Year of our Lord 1199 or 1200. and second Year of his Papacy, first ordained at the *Lateran*, *April Cal.* 8. by a decretal Epistle, beginning, *Vergentis in senium*, directed to the Clergy, Consuls, and People of *Viterbo*, that the Effects of Hereticks should be confiscated, as had been determined by the Civil Laws, and that they should be applied to the Treasury of the Church in the Countries subject to her, and in other Dominions of the Empire, to the Treasury of the secular Judge. And this he commands to be observed, although Hereticks should have Catholick Children, who by the Civil Law were allowed to succeed to their Parents Estates. The same Confiscation of Effects, a few Years after, *viz.* *An.* 1215. was decreed in

the *Lateran* Council under *Innocent* III. *cap.* 3. and is contained, C. *Excommunicamus*, 1. §. *Damnati, vero.* but with this Difference observed, between the Effects of heretical Laity and Clergy. *So that the Goods of such condemned Persons, if they are Laicks, shall be confiscated; if of the Clergy, they shall be applied to the Churches, from whom they have received their Stipends.*

Hence Pope *Innocent* IV. 1252. and ninth Year of his Pontificate, by a Constitution made at *Perouse*, the Ides of *May*, and beginning, *Ad exstirpanda*; commanded the confiscated Goods of Hereticks to be divided into three Parts, and applied in the Manner as is prescribed in these Words. *Moreover, the chief Magistrate or Ruler shall be obliged so to divide the Effects of Hereticks, which shall be seized and found by the said Officials, and the Fines which shall be exacted for them, as that one Part shall go to the common Use of the City or Place, the second to the Officials who shall be engaged in the Affair, in Favour and for the Assistance of the Office; and the third shall be deposited in some safe Place, to be reserved and expended as the said Diocesan and Inquisitors shall think fit, and with their Advice, in Favour of the Faith, and the Extirpation of Hereticks, notwithstanding any Statute made, or to be made to the contrary.* This *Alexander* IV. confirmed *An.* 1259. by a Constitution, beginning, *Ad exstirpanda.* But in the Year 1260. he granted by an Extravagant at *Genoa*, beginning, *Discretioni vestræ*, to the Inquisitors in the *Roman* Province, and Administration of St. *Francis*, that the Goods of Hereticks and others mentioned in it, should be sold, and the Money kept for the Uses of the Church of *Rome*. *By Authority of these present, we grant full and free Power to your Discretion, of which we have full Confidence in the Lord, of selling and dividing freely the Goods of Hereticks, their Favourers, Believers, Receivers, and Defenders, already published, or confiscated, or hereafter to be published and confiscated, as you shall think the Affair of the Faith committed to you shall require; and of reserving the Money arising from thence to the Use of the Church of* Rome; *and also of compelling all who shall oppose you in this Matter, by Ecclesiastical Censure, without allowing them the Benefit of Appeal.*

Clement IV. his Successor, *An.* 1265. by a Constitution beginning, *Ad exstirpanda*, ordered the same threefold Division, but makes more particular Mention of the Effects. *Moreover, the chief Magistrate, Officer, Consul, or any other Ruler, shall be obliged to divide in such a Manner all the Effects of Hereticks, and their Receivers, which shall be seized or found by the said Officials, and the Fines exacted for them; as also all the Timber, Stones, and Tiling of the Houses and Castles that shall be destroyed on the Account of Heresy; and also all the moveable and immoveable Effects that shall be confiscated on the same Account, as that one Part,* &c.

Boniface VIII. *An.* 1295. by a Constitution of his to be found, Cap. *Cum secundum leges.* de hæret. lib. 6. declared likewise, that the Effects of Hereticks were *ipso jure* confiscated. But he prohibited the temporal Lords to lay hold of, or seize on them, before the lawful Ecclesiastical Judges had pronounced concerning the Crime of Heresy. *Benedict.* XI. by an Extravagant beginning, *Ex eo. An.* 1303. orders; *The said Diocesans shall not demand any Account of the Profits arising from the Office of the Inquisition; any Constitution, Custom, or Command*

mand to the contrary notwithstanding. But you shall give it to our Chamber, or to any Person, whom we or the Roman *Pontiffs our Successors shall appoint for this Purpose. And this we command to be generally observed.*

From these Constitutions they infer, that if any temporal Lord, in Favour of the Faith, actually doth these Things, or other Things equivalent, or greater, or of like Nature, to what the said Constitutions require, he ought to have a third Part of the confiscated Effects; or more, if the Pope allows, and knowingly permits it. And therefore in *Spain* the Effects of such as are condemned for Heresy are rightly applied to the Royal Treasury; because the King hath not only the Care of constituting the Senate, which manages in the Royal Palace all the Causes of the whole Kingdom of *Spain* relating to the Punishment of this Crime, and of which one of the principal Prelates is President; but also liberally supplies the Inquisitors, which the said Prelate appoints by the Papal Authority, and sends throughout the whole Kingdom, to extirpate heretical Pravity, with all their Expences, and every Thing else necessary to their Office. But as in many Places the temporal Lords do not grant the Inquisitors their Expences, nor submit to those Burthens and Labours, which *Innocent*, *Alexander*, and *Clement*. IV. have commanded, *Pegna* doth not understand by what Right they can appropriate to themselves the third Part of such confiscated Effects; and therefore thinks that they ought all to be applied to promote and advance the Holy Office. Especially as the Inquisitors have now their proper Jayls, their necessary Attendance, and their own Notaries and Ministers, to the greatest Part of whom the temporal Lords give neither Subsistence or Salary; and when desired, oftentimes refuse to do it. Yea, if the Inquisitor sometimes asks the Guards, Apparitors, or Soldiers of the secular Lord, to execute any Affairs of the Faith, to take up Hereticks, or carry them to Jayl, he will not suffer them to go, without first receiving the Satisfaction and agreed Price from the Inquisitors.

This *Camillus Campegius* especially urges with Reference to the Inquisitors of *Italy*, "Who, he says, are generally Mendicant Regulars, who scarce receive enough from their Monasteries to support them, or cloath themselves decently; who in Justice ought to have their Provision and Cloathing, and other Necessaries, not from the Monasteries, but from the Office it self in which they serve. For that these Inquisitors are so entirely devoted to the Affairs of the Office, that they cannot serve Religion or the Monastery, which is such a Detriment to Religion as ought not to be suffered. Add to this that Religion, and the very Monasteries are greatly damaged upon Account of the said Office, because these Religious are hated, and are for this Reason deprived of much Alms, and exposed also to many Dangers of Life."

In Zanchin. *cap.* 19.

Hence he infers, that the Inquisitors may receive not only their Expences, but also a Salary or Fees. And as to the Objection that the confiscated Goods of Hereticks are appropriated to maintain the Inquisitors, he answers: "That such Confiscation seldom happens, since the Effects are restored to such as return, few being found who are obstinate or relapsed, and these, gene-

"rally

" rally speaking, so very poor, that they are not able to defray the Expen-
" ces of the Notaries, nor maintain themselves whilst they are kept in Jayl.
" As to the other Objection, That the Inquisitors ought to be content with
" the Subsidy exacted from, or given them by the Cross-bearers, he an-
" swers, that this is far from being sufficient, because either they cannot or
" will not give. Besides, many of them subvert the very End of their Insti-
" tution, and are rather Masters over the Inquisitor, than subject to him, and
" sometimes do more harm than good to this Holy Office. 'Tis true, many
" of them are very jealous and zealous for the Faith, who, according to the
" Obligation of their Vow, willingly expose their Life and Substance for the
" Faith. But as they themselves are poor, they want Assistance instead of
" being able to support others." He goes on, " Since this is really the Case,
" how can the Inquisitors sustain the Burthens of their Office? How can they
" be able to repair or build Jayls? How can they satisfy the Keepers, and
" other Officers? How can they provide Sustenance for the poor Prisoners,
" or Beds for them to lie on? How can the Inquisitors themselves visit their
" Diocese or Province? Who shall supply them with Horses and Ships?
" Who shall give them, their Companions, Notaries, and Servants, the Char-
" ges of their Journey? For 'tis not decent or safe that the Inquisitor should
" travel alone. The Duties of this Service are almost infinite, which neither
" the Bishops, Cities, or Princes, will so much as touch with their Finger.

" Since therefore the *Italian* Inquisitors have no Benefice, or Incomes, or if
" they have, such as are not sufficient to maintain them, they may demand
" their Expences, Salary or Fees. This however the Inquisitors and other
" Officials who are Bishops, as they are in *Spain*, cannot do. Nor such who
" receive their Expences from the Apostolical Chamber, as is observed at
" *Rome*, or who otherwise receive Assistance or Support, to enable them to
" discharge the Duties of the said Office.

" At this Time the Inquisitors affirm, that the Church of *Rome* is the Trea- Zanchin.
" sury as far as relates to the confiscated Effects of Hereticks; and that she c. 26.
" hath ordered that one half of the said Effects shall be appropriated to her
" own Chamber, and that the other half shall remain in the Office of the
" Inquisition for the necessary Uses thereof. This Custom is now observed."

Campegius, in his Additions, cites the Letters of *Innocent* IV. directed to the Archbishops and Bishops, and Provincial of the Province. *We, treading in the Steps of Pope* Gregory *our Predecessor, of blessed Memory, order that the moveable Effects and Houses of such who are imprisoned for Heresy, shall be sold, if it can be done without Prejudice of their Lords, or grievous Scandal; and that the pecuniary Penalties which shall be laid by the said Friars Inquisitors, on any Persons, on Account of heretical Pravity, for the Advantage of the said Affair, and after having considered the Quality of the Persons, and Nature of their Offences, shall be entirely reserved for building separate and sufficient Prisons, and for supplying the necessary Expences of the Prisoners, and of the said Friars, and other Persons, whom they shall think proper to make use of to carry on the said Affair.* And in the Extravagant *Ex eo.* de hæret. §. *fin. The said Diocesans shall not demand any Account from*

you of the Profits arising from the Office of the Inquisition, any Constitution, Custom, or Command to the contrary notwithstanding. But you shall send the Account to our Chamber, or to such other Person as we or our Successors the Popes of Rome *shall appoint for this Purpose.* This we command shall be generally observed.

In voce. *Bona hæret.* And lastly, Friar *Bernard Comensis*, in his Light of the Inquisitors, hath given us this short Account of the whole Affair. "The Effects of Hereticks, "since they are *ipso jure* confiscated from the Day of the Crime committed,
4. "shall not be sold or alienated by the said Hereticks. Yea, the Treasury or "Inquisitors shall reclaim the said Effects, if sold or alienated, out of the "Hands of the Possessors, without any Charge, through what Hands soever "they may have passed; unless the Price, or something equivalent to it, was "amongst the Effects of the said Heretick thus alienating them.

5. "The Ordinary or Diocesan shall have no Part of the Profits of the Goods "of Hereticks, appropriated to the Office of the Inquisition, although he "himself proceeds in the said Office; but must discharge his Duty at his own "proper Expences, and out of his own Returns, because he is the Ordinary, "according to the Extravagant of *Benedict* XI. beginning, *Ex eo quod.* Nor "are the Inquisitors obliged to give an Account to the said Diocesans of the "Effects accrewing to the Office of the Inquisition. *Ibid.*

6. "Whereas the Cross-bearers now generally provide, in Aid of the Office "of the Inquisition, all the necessary Expences of the said Office, at the "Pleasure of the Inquisitors, and appoint such Officials as are necessary to "the said Office, and pay them, as the Inquisitors order them; they have "therefore now introduced a Custom, that the Confiscations made of the "Effects of Hereticks by the Inquisitors, shall be applied to the Office of "the Inquisition, and administred by the Inquisitors, or the said Cross-bearers, "at the Pleasure of the Inquisitors, to expedite the Affairs of the said Of-"fice, and in all Causes appertaining to it.

7. "When the Effects of Hereticks are confiscated, such Confiscation reaches "not only to such Effects as are found in the Territory where the Condem-"nation is made, but to such as are found in any other Territory; and the "Execution shall be made by the Officials of that Place where the Goods "are. For Instance, if a Man is born at *Bologne*, and hath a good Estate "there, and yet builds himself an House at *Florence*, and is by the Inquisi-"tor of *Florence* condemned there for Heresy; in such Case the Inquisitor of "*Bologne* shall seize upon all his Effects which he finds there, because the "Purse of the Church of *Rome* equally extends to *Bologne* as to *Florence*. But "'tis not thus with the Part that comes to the Officials. See the Declara-"tion of *Nicholaus* IV. *An.* 1291. *Oct.* 5.

"The moveable Effects of the Criminal, which are found in any other "Territory, must go to the Treasury of such Place in which they are con-"demned.

CHAP.

CHAP. XX.

Of the SALARIES *of the* INQUISITORS, *and other* OFFICERS.

'TIS very evident from what hath been already said, that the Method of paying the Inquisitors their Salaries, is not every where the same, but very different, according as the confiscated Effects are seized, either by the secular Lords or the Inquisitors.

Formerly, in *France*, the Expences and necessary Supports were given them out of the royal Treasury, by the *Ballives* *; who, in that Age, received the Returns of their several Districts, and had their Accounts audited in the Chamber of Accounts, as appears from those Accounts themselves. For some of them gave in an Account of the Expences of the Friars Inquisitors at Ascension Term, *Ann.* 1248. There is also extant in the Royal Chamber of Records, Register Book 36. Cap. 16. an Edict of *Philip* the Fair, by which they are commanded, not only to furnish the Inquisitors with necessary Provisions, but also to give them Assistance and Counsel in the Execution of the Office committed to them. *To the* Seneschall *of* Tholouse, *and* Carcassone, *greeting: Whereas Friar* William de Morreriis, *a Predicant, of whom we have received a favourable Account, is, as is reported, newly deputed by the Apostolick Authority, Inquisitor at* Tholouse, *we command you, that ye cause to be given and ministred to him our Jayls, situate in our Lands, for the Custody of Persons taken up for the Crime of Heresy; as also Money for his Provision, and for executing his Office; and that you grant him all Help, Favour and Counsel therein, as hath been hitherto granted to other Inquisitors, and as long as it shall be our Pleasure. Dated at* Vicenn. 1302.

Du Cauge *in voce* Inquisitio.

James, King of *Aragon*, by a Law, beginning, *Quoniam fidei Catholicæ*, made *May* 23, 1292. thus commands: *Likewise also we Will and Command, that ye provide for the said Inquisitors, their Expences, and pay all their Charges they shall be at upon Account of the said Inquisition, as well for Horses as for other Matters, as they shall give in their Accounts of them, as often as you shall be required by them, or any one of them.*

Bzovius, *a.* 1292. §. 5.

In *Italy* and other Places, where the Inquisitors are poor, the Commonwealth must maintain them in the Places where they live, as is provided by many Rescripts of former Popes; and particularly by a Rescript of *Innocent* IV. beginning, *Ad exstirpanda.* 'Tis also the Duty of the Cross-bearers to support the Inquisitors with their Estates, to which they have oblig'd themselves by Vow.

Eymer. *p.* 3. *q.* 104. *Com.* 153.

In *Spain* all these Things are determined by certain Laws. As to the Expences relating to the Criminal under Inquisition, the *Madrid* Instruction,

Qu. 104. *Com.* 153.

* *Ballives*, are Judges to administer Justice in Provinces and greater Cities, and who also took Care of the Fines, Confiscations, Mortmains, and other Effects belonging to the King, in their respective Districts. *Du Fresne.*

An. 1561. *Cap.* 9. hath thus determined: *Let ſo much Money be taken out of the ſequeſtred Effects of the Delinquent, as is neceſſary to carry him to Jayl, and ſix or eight Pieces of Gold more for his own Support; nor ſhall any more Expences be allow'd him than are neceſſary for him, and the Cattle that are to carry him, and the Bed on which he is to ſleep. If there be no ready Money in the ſequeſtred Effects, ſuch of them however as are leſs neceſſary ſhall be ſold to bring in the ſaid Quantity. The Executor of this Affair ſhall take Care to write down what he orders at the Bottom of the regiſter'd Effects, and what remains ſhall be aſſigned over to the Diſpenſator of the Priſoners, in the Preſence of the Attorney of the Sequeſtration. And the Inquiſitors ſhall be certified as to the whole Affair.*

In many Inquiſitions this exact Order is not obſerv'd, either through Poverty, or for other Reaſons; in which Caſe every one abides by the received Cuſtom of his Inquiſition.

In *Spain* there are fixed Salaries for the Inquiſitors, and other Miniſters of the holy Office, which are paid them at ſtated Times out of the forfeited Effects, according to the Quantity and Order deſcrib'd by *Simancas. Cathol. Inſt. tit.* 41. *n.* 33, 34.

§. 33. "The Salaries muſt be paid to the Inquiſitors and Officers by the Commonwealth, which they ſerve with great Labour, but greater Profit. "Every Inquiſitor hath annually allow'd him 60000, which now is increas'd "to an hundred thouſand Pieces, every one of which is worth two of thoſe "Braſs Pieces of Money, which they commonly call *Albi.* The Judges "of the forfeited Effects have each of them 30000. The Promotor Fiſcal "as many. The Scribe or Notary the ſame. The Executor 60000. The "Receiver as many. The Meſſenger 20000. The Door-keeper 10000. "The Phyſician 5000. Theſe Salaries may be increas'd at the Pleaſure "of the Inquiſitor General, and are to be paid by the Receiver at the "fixed Times, which if he neglects to do, he may be deprived of his Of"fice by the Inquiſitors. 4 *Inſt. Tolet.* c. 2. *Inſt.* 3. *Valdolit.* c. 13.

§. 34. "All theſe Salaries are paid out of the forfeited Effects. A third Part "is to be paid in the Beginning of every fourth Month, and they then be"gin to be due, when the Judges and Miniſters go from their Houſes to "manage the Affairs of this holy Inquiſition. But if they die before the "four Months compleat, their Salaries ſhall be paid and go to their Heirs.

§. 13. "The Aſſeſſors and Counſellors have no Stipend, but muſt give their "Advice *Gratis*, when the Inquiſitors deſire it, as ſome Lawyers affirm; "and though they may receive a Salary freely offer'd them, yet they can"not demand it, becauſe all Chriſtians are bound to ſupport and defend "the Affair of the Catholick Faith. However, theſe Aſſeſſors, who are "the Eyes of the Judges in every Cauſe, even though it be ſpiritual, juſt"ly receive a Salary for their Service and Labour. For many Things are "juſtly received, which it would be Injuſtice to demand.

Tit. 5. §. 6, 7. "Thoſe Advocates who defend the Cauſes of the Poor have a Stipend "out of the Treaſury, which is uſually very ſmall, tho' honourable. But "if the Criminals are not poor, the Advocates are paid out of their Effects.

'Tis

'Tis also provided in *Spain*, by many Constitutions, that Inquisitors, who receive Gifts incur the Sentence of Excommunication, and are deprived of their Office, and fined double the Value of what they take. This holds if they take Gifts from their Officials. 'Tis ordain'd also, by the same Instructions, That all the Officers shall be content with their Stipends, and receive no Gifts; not so much as any Thing to drink or eat. And if any one is convicted of doing it, he is deprived of his Office, must pay double the Sum, incurs the Sentence of Excommunication, and is fined in 10000 Pieces. If any one of the Officers knows of any such Thing, and doth not discover it to the Inquisitors, he must suffer the same Punishment. The Words of the Instruction, *An.* 1484. Cap. 1. are these: *They have likewise decreed, that the Inquisitors and Assessors of the Inquisition, and other their Officials, such as Advocates, Fiscals, Executors, Notaries, and Door-keepers, shall receive no Gifts or Money from any Persons whatsoever, which the said Inquisition doth or may lay hold of, nor from any other Persons appointed by them. And the Inquisitor General shall command them not to receive any Thing under Pain of Excommunication, Deprivation of Offices, which they hold from the holy Inquisition, and returning double of what they take.* Simanc. *de Cathol. Inst. t.* 34. *n.* 45.

But *Paramus* doth not interpret this Constitution, so as to make the Inquisitors, who are criminal in this Respect, actually incur Excommunication, and Deprivation of Office, but only so as to make them liable to this Punishment from the Inquisitor General. He also believes, if it be a small Matter, the Inquisitors may take it when voluntarily offer'd to them. But 'tis his Judgment that they would do better to take nothing at all, neither from the Criminals, which looks very suspicious, nor from their Relations or Friends, or any other Persons whatsoever. *Lib.* 3. *q.* 2. *n.* 68.

Every Minister of the Inquisition is also forbidden to concern himself in any Traffick, either by himself or other Persons: If any one doth, he is deprived of his Office, and fin'd 20000 Pieces. If any one doth not discover this, he is excommunicated, 4 *Inst. Tolet.* c. 12. Simanc. *de Cathol. Inst. t.* 41. *n.* 38.

The Inquisitors, Ministers, and Receivers, are also forbidden to buy any Thing of the confiscated Effects, although they are publickly sold. If any one doth buy any of them, though openly and honestly, he nevertheless incurs the Sentence of Excommunication, and is fined in an 100 Pieces of Gold. *Ibid.* c. 23. §. 29.

However, as the Author of the History of the Inquisition at *Goa* informs us, the Inquisitors know how to amass vast Riches, by two Methods. When the Effects of the Prisoners, after Confiscation, are sold by the Cryer, the Inquisitors, notwithstanding this Interdict, usually send one of their Domesticks, who bid a low Price for such Things as their Masters want, being pretty secure that no Body else will out-bid them; and by this Means they buy very valuable Things for half Price, or less. Besides this, the Inquisitors have a Right to demand the Payment of the Expences, and other necessary Charges they have been at, when, and in what Sums they please, whenever the Money arising from the Confiscations is carried into the Royal Trea- C. 23.

sury; without ever giving any Reason, or any ones daring to ask them for what Purposes they employ it.

Gonsalvius Montanus also tells us, in his Arts of the *Spanish* Inquisition, *Cap.* 10. That the Inquisitors are sometimes prevailed with to use their Prisoners a little more kindly, by some pretty Presents made by their Friends and Relations. But this Matter must be dextrously managed, that so the Inquisitor may not refuse the Offer. The first Thing therefore is, to bribe one of his Servants, in which there is no Difficulty, provided it be done privately. When the Inquisitors themselves are tampered with, they generally answer, That holy Tribunal is incorrupt, and suffers no Manner of Gifts whatsoever to be received. But they have generally, amongst their Attendance, some Child of their Brother or Sister, or, at least, a Servant that they greatly esteem, and who is to be highly respected, and who only sees the Inquisitor refuse the Presents offered to him. This Servant comes to the Prisoners Friend, and privately points out to him the Relation of the Lord Inquisitor. This is giving him to understand, unless the Person be a Stock, that though before he in vain attempted to corrupt the Integrity of this holy Tribunal, he may by this Conveyance prevail upon the Inquisitor, though he would refuse to accept the same Present when more openly offered him.

The End of the FIRST VOLUME.